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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 6294/2019

VISHAL @ GANJU & ORS

..... Petitioners

Through: Mr. Prashant Jain, Adv.
(through VC)

versus

STATE & ORS

..... Respondents

Through: Mr. Ajay Vikram Singh,
APP for the State with Mr.
Pawan Kumar Bajoria,
Ms. Anjali Rohtagi, Mr.
Prawesh Sharma and Ms.
Kirti Arora, Advs. with SI
Satish Kumar, PS Bara
Hindu Rao, Delhi.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

27.05.2024

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CRL.M.A. 21240/2023

1. The present application is filed under Section 482 of the Code of Criminal Procedure, 1973 (CrPC), seeking recall of the order dated 25.07.2023 and restoration of the present petition, being CRL.M.C. 6294/2019, to its original number. The CRL.M.C. 6294/2019 was dismissed by order dated 25.07.2023 for non-prosecution.

2. For the reasons mentioned in the application, the same is allowed and CRL.M.C. 6294/2019 is restored to its original number.

CRL.M.C. 6294/2019 & CRL.M.A. 21241/2023

3. The present petition was filed under Section 482 of the Code of Criminal Procedure, 1973, seeking quashing of FIR No. 112/2018 dated 10.09.2018, registered at Police Station Bara Hindu Rao, for offences under Sections 307/34 of the Indian Penal Code, 1860.

4. It is pointed out that the matter is listed for recording of



evidence before the learned Trial Court.

5. Even though the present petition was filed way back in the year 2019, it is apparent that the matter has been kept pending because of the conduct of the petitioner.

6. The petition was also dismissed for non-prosecution on one occasion. The petitioner had thereafter also not been appearing regularly.

7. The learned Additional Public Prosecutor for the State submits that the petitioner has been taking repeated adjournments before the learned Trial Court and has not allowed the learned Trial Court to proceed with recording of evidence despite the fact that this Court had not impeded the learned Trial Court from proceeding with the matter.

8. Pursuant to the registration of the FIR, the chargesheet has already been filed and the charges have also been framed. Serious allegations have been made in regard to inflicting injuries with a knife.

9. Considering that the matter is now at the stage of recording of evidence, this Court does not consider it apposite to entertain the present petition seeking quashing of FIR No. 112/2018.

10. The learned Trial Court is directed to proceed with the matter expeditiously.

11. The present petition is dismissed with the aforesaid observations.

12. Pending application(s) also stands disposed of.

AMIT MAHAJAN, J

MAY 27, 2024

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