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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 1378/2024, CRL.M.A. 5442/2024 (interim stay) &
CRL.M.A. 5443/2024 (exemption)

SH. MOHIT MANDAL

..... Petitioner

Through: Mr. Swarn Kumar & Ms. Jayanti Jha,
Advocates.

versus

STATE (N.C.T DELHI) AND ANR.

..... Respondents

Through: Mr. Sunil Kumar Gautam, APP for
the State with W/SI Kumari Neeraj,
P.S. Vasant Kunj North.

CORAM:
HON'BLE MR. JUSTICE AMIT SHARMA

ORDER
20.02.2024

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1. The present petition under Section 482 of the Cr.P.C. seeks the following prayers:

“A) Quash the ongoing proceedings before the Ld. Sessions Judge and quash FIR No. 103 Of 2019 dt. 26.04.2019 registered at P.S. Vasant Kunj (north), South-West Delhi u/s 376D, 354 IPC in which the Petitioner is named as Accused No. 3.

B) Pass such other order or orders as may be deemed fit and proper in the facts and circumstances of the instant case.”

2. It is pointed out that *vide* order dated 15.11.2019, the previous petition being CRL.M.C. 5795/2019 was dismissed as withdrawn, which records as under:

“Counsel for the petitioner seeks to withdraw the petition as the matter is listed for arguments on charge for tomorrow.



Dismissed as withdrawn with liberty to approach this Court in case the charges are framed against the petitioner.”

3. Learned counsel appearing on behalf of the petitioner submits that in the connected proceedings pending before the Juvenile Justice Board, the prosecutrix has not supported the case of the prosecution. It is further submitted that since then no order on charge has been passed by the learned Trial Court. It is pointed out that the matter is again fixed before the learned Trial Court for consideration on point of charge on 20.02.2024, i.e., today.
4. Learned counsel for the petitioner, without prejudice to the rights and contentions latter, seeks leave to withdraw the present petition with a prayer for expeditious hearing of the present FIR before the learned Trial Court.
5. Leave and liberty granted.
6. The present petition is dismissed as withdrawn and disposed of accordingly.
7. The learned Trial Court is directed to ensure that the arguments on point of charge be concluded within a period of 01 month from today.
8. Order be communicated to learned Trial Court for necessary information and compliance.
9. Pending application(s), if any, also stand disposed of.

AMIT SHARMA, J

FEBRUARY 20, 2024/bsr