



\$~61

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 1499/2022**

KANWAL ANAND & ANR.Petitioners
Through: Mr. Hitendar Mahalwal &
Ms. Jayti Sharma, Advs.
(through VC)

versus

THE STATE (GOVT. OF NCT OF
DELHI) AND ORS.Respondents
Through: Mr. Naresh Kumar
Chahar, APP for the State
SI Deepak Vashisht, PS-
Vikas Puri

CORAM:
HON'BLE MR. JUSTICE AMIT MAHAJAN

% **ORDER**
17.12.2024

1. The petitioner seeks quashing of FIR No. 190/2021 dated 14.04.2021 registered at Police Station Vikas Puri for offences under Sections 498A/406 of the Indian Penal Code, 1860.
2. The learned counsel for the petitioner submits that the petitioners are Father-in-Law and Mother-in-Law of the complainant. He submits that they have been falsely implicated and dragged in the matrimonial dispute that the complainant had with their son.
3. He further submits that the Police, after investigation, did not find any evidence against Petitioner No. 1 and had put him in Column No. 12 in the charge sheet filed before the learned Trial Court.
4. He submits that the learned Trial Court has erroneously issued summons to Petitioner No. 1 as well. He further contends



that both the petitioners are senior citizens and that the Petitioner No. 1 is suffering from Mouth Cancer for which he requires regular treatment and is accompanied by Petitioner No. 2.

5. Concededly, charge sheet has already been filed and the matter is now listed for arguments on charge before the learned Trial Court.

6. The petitioners have an alternate efficacious remedy to take all arguments on charge before the learned Trial Court. However, considering that both the petitioners are senior citizens and Petitioner No. 1 is suffering from Mouth Cancer, this Court considers it apposite to exempt both petitioners from personal appearance till such time, the learned Trial Court passes an order framing charges.

7. The present petition is disposed of with liberty to raise all arguments before the learned Trial Court. The petitioner is at liberty to approach this Court in case any grievance remains in future.

8. The learned Trial Court is directed to pass an order uninfluenced by filing of the present petition by the petitioners since the same has been disposed of at the outset for the reason that the matter is now listed before the learned Trial Court for consideration of arguments on charge.

9. All pending applications, if any, also stand disposed of.

AMIT MAHAJAN, J

DECEMBER 17, 2024

“SS”