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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CRL.REV.P. 265/2022 & CRL.M.A. 13680/2022

GULSHAN KAUR

.....Petitioner

Through: Mr. Dinesh Malik (DHCLSC),
Mr. Puneet Jain, Advocates

versus

STATE GNCT OF DELHI & ORS

.....Respondents

Through: Ms. Priyanka Dalal, APP for the State
SI Amar Singh, PS Kishan Garh
Mr. Pawan Sharma, Advocate for R-2
to R-4

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER
09.07.2024

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1. The instant revision petition under Section 482 Cr.P.C has been filed by the Petitioner challenging the Order dated 19.01.2021 passed by the Ld. ASJ-02, Patiala House Court, New Delhi refusing to entertain the application filed by the Petitioner under Section 156(3) Cr.P.C.
2. The facts of the case reveal that the Petitioner and the Respondents are neighbours. Dispute arose between the Petitioner and the Respondents and a complaint was given to SHO Kishan Garh. It is alleged that despite reporting the matter to police, the police has not registered the FIR and, thereafter, an application was filed by the Petitioner under Section 156 (3) Cr.P.C. for registration of FIR.
3. After examining the matter, the learned ASJ was of the opinion that an appropriate inquiry under Section 200 Cr.P.C would be more germane



rather registration of the FIR in the present matter. Resultantly, a complaint has been filed. It is stated by the learned Counsel for the parties that evidence is being led in the complaint.

4. When this Court suggested to the learned Counsel for the Petitioner that since the complaint has proceeded substantially and, therefore, it could be better if the complaint is taken a logical end, the learned Counsel for the Petitioner raised an apprehension that the findings made in the Impugned Order would prejudice the Petitioner in the proceedings of the complaint.

5. It is made clear that all the observations made in the Impugned Order is limited to the issue as to whether the FIR has to be registered or not.

6. Needless to state that the learned ASJ will act in accordance with law and procedure and decide the complaint on the weight of evidence adduced by the parties.

7. With these observations, the petition is disposed of, along with pending application(s), if any. It is made clear that this Court has not made any observations on the merits of the case. All the rights and contentions of the parties are left open.

SUBRAMONIUM PRASAD, J

JULY 9, 2024

S. Zakir