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

+ **CRL.M.C. 2831/2024**

ALKA TANDON

.....Petitioner

Through: **Mr. Madhav Khurana, Ms. Sanjivani
Pattajoshi, Advocates**

versus

STATE GOVT. OF NCT OF DELHI AND ORS.Respondents

Through: **Mr. Yudhvir Singh Chauhan, APP for
the State.**

**Mr. Abhay Singh, Ms. Veena Singh,
Ms. Vindhya Singh, Mr. Prakash
Gautam and Mr. Subham Chouhan,
Advocates for Respondent No. 3.**

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

10.09.2024

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1. Pursuant to the Order dated 12.08.2024, it is stated by the learned Counsel for the Petitioner that he has taken instructions that Respondent No.2 can be dropped from the array of parties.
2. Accordingly, the Respondent No.2 is dropped from the array of parties.
3. Petitioner has approached this Court seeking quashing of FIR No. 210/2022 registered at Police Station: Chitranjan Park, Delhi under Sections 279 IPC and the Final Report/Chargesheet dated 27.09.2020 and 29.11.2020, for offence under Sections 279/427 IPC and Sections 39/192/146/196 of the Motor Vehicles Act, 1988.



4. It is submitted by the learned APP for the State that charges cannot be framed against the Petitioner for offences under Sections 279/427 IPC.
5. Statement of the learned APP for the State is taken on record.
6. Accordingly, FIR No.210/2022, registered at Police Station Chitranjan Park, Delhi to the extent of Sections 279/427 IPC is quashed qua the Petitioner herein. As far as other offences are concerned, it is always open for the Petitioner to raise his contentions at the time of framing of charges under Section 251 Cr.P.C.
7. Though it is stated by the learned Counsel for the Petitioner that a bare reading of the proviso to Section 39 of the MV Act shows that the offence under Section 39 of the MV Act is not made out against the Petitioner, it is always open for the Petitioner to raise this argument at the time of framing of charges.
8. The Petition is disposed of along with the pending applications, if any.
9. It is made clear that this Court has not made any observations on the merits of the case.

SUBRAMONIUM PRASAD, J

SEPTEMBER 10, 2024

Rahul