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

+ **CRL.M.C. 2163/2019**

POOJA & ANR

..... Petitioners

Through: Mr. Jayant Bhatt and
Ms. Vaidehi Singh,
Advocates.

versus

STATE OF NCT & ANR

..... Respondents

Through: Mr. Pradeep Gahalot, APP
for the State along with SI
Pooja Saraswat, PS
Malviya Nagar.
Mr. Udayan Khandelwal,
Advocate for R-2 (through
VC).

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

15.05.2024

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1. The learned counsel for the petitioners submits that only vague allegations had been made against the petitioners in regard to the demand of dowry and the same are not sufficient to constitute the offence under Section 498A of the Indian Penal Code, 1860 ('**IPC**') against the petitioners.

2. He submits that no specific instance has been alleged against the petitioners in regard to offence under Section 498A of the IPC.

3. He further submits that Section 304 of the IPC is added in the present case as appropriate treatment was allegedly not provided to the deceased.

4. He submits that the deceased was married to the brother of the petitioners and she was pregnant. He submits that it was not the responsibility of the petitioners to provide adequate medical

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treatment to her.

5. He further submits that vague allegations have been made that the petitioners and their family members refused to take the deceased to a particular nursing home.

6. He submits that the same does not, in any manner, point towards the offence under Section 304 of the IPC against the petitioners.

7. It is pointed out that the matter is now listed before the learned Trial Court on 02.07.2024 for arguments on charge.

8. In view of the same, the learned counsel for the petitioners seeks liberty to withdraw the present petition and raise all arguments before the learned Trial Court.

9. In view of the above, the present petition is dismissed with the aforesaid liberty.

10. Needless to say, the petitioners are at liberty to approach this Court in case any grievance remains.

AMIT MAHAJAN, J

MAY 15, 2024

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