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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 4060/2023**
MANVINDER SINGH Petitioner
Through: Ms.Nehmat Sethi, Advocate

versus

STATE (NCT OF DELHI) Respondent
Through: Mr. Laksh Khanna, APP for State

CORAM:
HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER
11.03.2024

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CRL.M.A. 15276/2023 (exemption)

1. Allowed, subject to all just exceptions.
2. The application is disposed of.

CRL.M.C. 4060/2023

1. The present petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.264/2022 registered under Sections 417/447 IPC at P.S. IGI Airport.
2. Learned counsel for the petitioner submits that as per the prosecution case, the petitioner was found unauthorizedly at IGI Airport on 01.07.2022 as he was not carrying a valid ticket, he was handed over by the CISF to the Police Station and a written complaint was given. He further submits that the petitioner had initially booked a ticket on 21.04.2022 for travel on 01.07.2022 from Delhi to Frankfurt. The said ticket was rescheduled on number of times and was lastly cancelled on 29.06.2022, against which a fresh ticket got issued.



3. The FIR came to be filed on account of the verification of the cancelled ticket. Learned counsel states that the fresh ticket which was issued on 29.06.2022 was never verified.

A status report has been handed over in Court today. The status report is accompanied by a response from Air Canada.

4. Learned APP for the State submits that the fresh ticket bearing No.014-3907063832 was issued on 29.06.2022 at 07:33 hours (Zulu Time). He, on instructions, submits that the IO has now verified the tickets and as per verification, the petitioner was in possession of a valid travel ticket on 01.07.2022 i.e., when he was apprehended at the airport.

5. Considering that the chargesheet is filed only under the offence under Sections 417/447 IPC for the reason that the petitioner was not in possession of a valid travel ticket, which now stands clarified after verification, the present is a fit case where the court should exercise the inherent powers under Section 482 Cr.P.C to prevent injustice. Consequently, the FIR and the consequent proceedings are hereby quashed.

6. In view of the above, the petition is disposed of.

MANOJ KUMAR OHRI, J

MARCH 11, 2024

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