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

+ CRL.REV.P. 791/2023

STATE OF NCT OF DELHI THROUGH DEPUTY
COMMISSIONER OF POLICE Petitioner

Through: Mr. Utkarsh, APP for the
State
SI Sandeep Kumar, PS-
Swaroop Nagar

versus

GOPAL SHARMA@ MINTU Respondent

Through: Mr. D.V. Khatri, Adv. for
R1

CORAM:
HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER
14.02.2024

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1. The present petition is filed under Section 397 read with Section 401 of the Code of Criminal Procedure, 1973 ('CrPC') challenging the order dated 29.04.2023 in Sessions Case No. 136/2023, titled as *State v. Gopal Sharma @ Mintu* (hereafter '**the impugned order**').
2. The learned Additional Sessions Judge, by the impugned order has framed charges against the respondent only under Section 323 of the IPC.
3. The present petition is filed by the State on the ground that charges under Section 307 of the IPC should also have been framed.
4. The learned counsel for the respondent, at the outset, points out that the parties are related to each other and have since settled their disputes. They have no grievance against each other



and want to live their lives peacefully.

5. It is seen that the learned Trial Court had specifically noted that the MLC revealed that the injuries inflicted on the victim were only minor and such injuries were not likely to cause the death or culpable homicide and, therefore, held that no charges under Section 307 could be made out.

6. Considering the fact that the parties are related to each other and have already settled their dispute, and the fact that the injuries, as noted by the learned Trial Court were only simple in nature, the impugned order passed by the learned Additional Sessions Judge does not warrant any interference.

7. The petition is, therefore, dismissed.

AMIT MAHAJAN, J

FEBRUARY 14, 2024

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