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

+ CRL.REV.P. 519/2022, CRL.M.A. 21061/2022

PARVEEN

.....Petitioner

Through: Mr. Kirti Uppal, Sr. Advocate with
Mr. Salman Hashmi and Mohd Adil,
Advocates

versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Shoaib Haider, APP for the State
SI Salman Ahmed, PS Hauz Khas.

+ CRL.REV.P. 520/2022

IFHAM AHMED

.....Petitioner

Through: Mr. Kirti Uppal, Sr. Advocate with
Mr. Salman Hashmi and Mohd Adil,
Advocates

versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Shoaib Haider, APP for the State
SI Salman Ahmed, PS Hauz Khas.
Mr. Rajan Sharma, Adv.

+ CRL.REV.P. 521/2022

AYESHA BEGUM

.....Petitioner

Through: Mr. Kirti Uppal, Sr. Advocate with
Mr. Salman Hashmi and Mohd Adil,
Advocates



versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Shoaib Haider, APP for the State
SI Salman Ahmed, PS Hauz Khas.

+ CRL.REV.P. 522/2022

MUMTAZ BEGUM

.....Petitioner

Through: Mr. Kirti Uppal, Sr. Advocate with
Mr. Salman Hashmi and Mohd Adil,
Advocates
Mr. Ashok Kumar Garg and Kavita
Agrawal, Advocates

versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Shoaib Haider, APP for the State
SI Salman Ahmed, PS Hauz Khas.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

27.08.2024

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1. Petitioners have approached this Court challenging the Order dated 27.05.2022, passed by the learned Metropolitan Magistrate, Saket Courts, framing charges against the Petitioners under Sections 325/506/323/34 IPC.
2. This Court vide Order dated 18.08.2022 had issued notice and had directed the Police to file a Status Report to clarify as to how the nature of injuries is grievous, as reflected in the MLC. The Status Report has been filed. Relevant portion of the Status Report reads as under:



“7. During the trial of the case, Hon'ble LD MM, MS Shilpi Singh charged the petitioner Mumtaz Begum, Praveen and Ifham Ahmed u/s 323/325/506/34 IPC in the present case. After that petitioner filed a petition under section 397 CrPC challenging the correctness and legality of the order dated 27.05.2022 passed by the Ld. Ms. Shilpi Singh, MM. South District, Saket Court, New Delhi before this court. During the proceedings before the Hon'ble High Court, Ld counsel for petitioners submits after perusing the MLCs of the complainant, Doctor has opined the injuries to be grievous, but the said injuries are only nail marks on both hands and abrasion over lateral to right eye 1 x 1 cm approx, hence such injuries does not pass the test of section 320 IPC. Then Hon'ble High Court ordered to file the status report in this regard to clarify as to how be the nature of injury- grievous as shown in MLC in view of the injuries sustained. After that a request letter to AIIMS Trauma Centre was moved for providing the subsequent opinion on the MLCs of Ayesha Begum, Sabha Khan and Mumtaz Begum. Thereafter, Super Speciality Division of Forensic Pathology and Molecular DNA Laboratory, JPN APEX Trauma Centre AIIMS. New Delhi provided the subsequent opinion on the ML.Cs of Ayesha Begum vide MLC No. 500147847, Sabha Khan vide MLC No. 500147824 & Mumtaz Begum vide MLC No. 500147846, wherein doctor opined that (1) I am of the opinion that the injuries sustained by Mrs. Ayesha is simple in nature and could have been possible by blunt force/surface impact. (2) I am of the opinion that injuries sustained by Miss Sabha is simple in nature and could have been possible by blunt force/surface impact, (3) I am of the opinion that Injuries sustained by Mrs. Sabha is simple in nature and could have been possible by blunt force/surface impact. The copy of the subsequent opinion is attached herewith as Annexure-A.”



3. Learned APP for the State, on instruction from the Investigating Officer, states that a Supplementary charge-sheet will be filed to show that an offence under Section 325 IPC is not made out against the Petitioners.
4. Statement of the learned APP for the State is taken on record.
5. In view of the statement of the learned APP for the State, the Petitions are disposed of along with the pending applications, if any.
6. Liberty is granted to the Petitioners to approach this Court if need arises in future.

SUBRAMONIUM PRASAD, J

AUGUST 27, 2024

Rahul