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

+ CRL.M.C. 4386/2024, CRL.M.A. 16654/2024

ROSHAN JAHAN AND ANR

.....Petitioners

Through: Ms. Gayatri Nandwani, Adv.

versus

STATE NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Satinder Singh Bawa, APP for
the State with SI Pancham Kumar PS
Sadar Bazar

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

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06.08.2024

1. The present Petition has been filed under Section 482 Cr.P.C for quashing of the FIR bearing No. 31/2020 registered under Section 31 of the Domestic Violence Act, 2005 and Sections 323 and 324 of the Indian Penal Code, 1860 at PS Sadar Bazar and all the consequent proceedings emanating therefrom.
2. It is submitted in the Petition that the complaint was filed by the respondent No. 2 against the petitioner and his family members way back in 2011.
3. The petitioner has appeared before the learned Trial Court where the learned MM directed the respondent No. 2 to approach the Court for registration of the FIR. Consequently FIR bearing No. 31/2020 had been registered under Section 31 of the Domestic Violence Act, 2005 and



Sections 323 and 324 of the Indian Penal Code, 1860 against the petitioner for committing violence.

4. Learned counsel appearing on behalf of the petitioner has sought the quashing of the FIR essentially on the ground that the alleged acts are about 9 years old. The FIR is highly belated by 9 years and therefore is required to be quashed.

Learned APP appearing on behalf of the State has opposed the Petition on the ground that the Charge Sheet has already been filed and the charges have already been framed. The ground of delay should have been agitated before the learned MM and at this stage, there is no ground for quashing of FIR.

5. Submissions heard.

6. Though, the alleged incidents are stated to be of 2011 and the FIR is registered in 2020, but it is in respect of the acts corroborated allegedly by the MLC of the complainant.

7. Since the charges have already been framed, there is no ground for the quashing of the FIR. All the grounds shall be agitated before the learned Trial Court.

8. The petition is accordingly disposed of.

NEENA BANSAL KRISHNA, J

AUGUST 6, 2024/PT