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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 5348/2024**
A A & ORS.Petitioners

Through: **Mr.H.Rehman and Mr.Raj Kumar,**
Advocates

versus

STATE NCT OF DELHI AND ANRRespondents
Through: **Ms.Manjeet Arya, APP for State with**
SI Ashish, P. S. Rajouri Garden.
Ms.Parul Verma, Advocate with
respondent No.2 in person.

CORAM:
HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

ORDER

% **16.07.2024**

CRL.M.A. 20468/2024

Exemption allowed, subject to just exceptions.

Application stands disposed of.

CRL.M.C. 5348/2024

1. Petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ('BNSS') has been preferred on behalf of the petitioners for quashing of FIR No.0754/2023 under Sections 498A/406/34 IPC registered at P.S.: Rajouri Garden and proceedings emanating therefrom. Sections 376/354/509 IPC have been subsequently invoked by the prosecution.
2. Issue notice. Learned APP for the State and learned counsel for respondent No.2 alongwith respondent No.2 in person appear on advance notice and accept notice.
3. At the outset, learned APP for the State has pointed out that allegations



have been levelled by respondent No.2 that she was compelled to drink by accused No.1/petitioner No.1- AA (husband of respondent No.2) for making physical relations with her brother-in-law i.e., accused No.4/petitioner No.3 who had a bad eye on her. She further informs that supplementary chargesheet is to be filed.

4. On a specific query put to respondent No.2 that in case, the allegations have been leveled out of matrimonial differences, respondent No.2 stands by the allegations.

5. At this stage, in view of stand taken on behalf of respondent No.2, learned counsel for petitioners seeks to withdraw the petition without prejudice to the rights and contentions of the petitioners.

Petition is accordingly disposed of. Pending applications, if any, also stand disposed of.

ANOOP KUMAR MENDIRATTA, J

JULY 16, 2024/v