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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(CRL) 3001/2019 & CRL.M.A. 38890/2019 (for leading secondary evidence)

TANVIR SINGH CHOUDHARIE & ORS Petitioners

Through: Mr. Tushar & Mr. Rishi Sood,
Advocates.

versus

STATE & ORS Respondents

Through: Mr. Yasir Rauf Ansari, ASC (Crl.) for
the State with Mr. Mohit Raj Nagar,
Mr. Alok Sharma & Mr. Vasu
Agarwal, Advocates.
SI Gaurav, P.S. Saket.
Mr. Adab Singh Kapoor, Advocate
for R-2.

CORAM:
HON'BLE MR. JUSTICE AMIT SHARMA

ORDER
09.02.2024

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1. The present petition under Articles 226/227 of the Constitution of India read with Section 482 of the CrPC seeks the following prayers:

“(a) Issue a writ in the nature of mandamus for quashing of FIR No. 164/2019 registered at P.S Saket under sections 323/354/506/34 of IPC 1860 read with section 8 of POCSO Act 2012 against the Petitioners and the proceeding pending before Juvenile Justice Board, Delhi Gate qua Petitioner No. 1. arising out of the said FIR.

(b) Pass such other or further order (s) that this Hon'ble Court deems fit and proper in the facts and circumstances of the instant case and in the interest of justice and equity.

And for this act of kindness, the Petitioners are as is duty bound shall ever pray.



2. It is pointed out that the complaint with respect to petitioner no. 1 has been filed before the concerned learned Juvenile Justice Board.
3. It is further pointed out that during the pendency of the present petition, petitioner no. 2, the mother/guardian of petitioner no. 1 has passed away.
4. It is further pointed out that the testimony of the complainant has been recorded before the learned Juvenile Justice Board and the matter is now fixed for cross-examination of the Investigating Officer.
5. In view of the above, learned counsel for the petitioners seeks leave to withdraw the present petition with liberty to raise the contentions taken herein before the learned Juvenile Justice Board.
6. Leave and liberty granted.
7. The present petition is dismissed as withdrawn and disposed of accordingly.
8. Pending applications, if any, also stand disposed of.

AMIT SHARMA, J

FEBRUARY 9, 2024/bsr