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

+ **CRL.M.C. 5779/2024**

ARJUN MALIK & ORS.

.....Petitioners

Through: Mr. Sanjiv Kumar and Ms. Aastha
Khanna, Advocates.

versus

**STATE (NCT OF DELHI) THROUGH SHO P.S. MODEL TOWN
& ANR.**

.....Respondents

Through: Ms. Meenakshi Dahiya, APP with
Insp. Sudhir Kumar and SI Virender
Kumar, PS: Model Town.
Mr. Sundeep Kumar, Adv for R-2.

CORAM:

HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

ORDER

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30.07.2024

CRL.M.A. 22095/2024

Exemption allowed, subject to just exceptions.

Application stands disposed of.

CRL.M.C. 5779/2024

1. Petition under Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been preferred on behalf of the petitioners for quashing of FIR No. 0041/2024, under Sections 308/323/341/427/34 IPC, registered at PS: Model Town.
2. Issue notice. Learned APP for the State and learned counsel for respondent No. 2 appear on advance notice and accept notice.
3. Learned APP for the State points out that chargesheet is yet to be filed and a country made pistol is alleged to have been used in the incident.



However, learned counsel for petitioners strongly disputes the use of any firearm and submits that same has not been corroborated in investigation.

4. At this stage, learned counsel for petitioners seeks permission to withdraw the petition without prejudice to the rights and contentions of the petitioners, with liberty to file afresh after filing of chargesheet.

5. Taking the statement of learned counsel for petitioners on record, petition is accordingly disposed of. Pending applications, if any, also stand disposed of.

ANOOP KUMAR MENDIRATTA, J.

JULY 30, 2024/R