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

+ **CRL.M.C. 6806/2022**

KALPANA TIWARI & ANR.

.....Petitioners

Through: Mr. Krishna Gopal Mishra and Mr.
Pradeep Kumar, Advocates.

versus

THE STATE (NCT) OF DELHI & ANR.

.....Respondents

Through: Mr. Shoaib Haider, APP for the State
Insp. Dinesh Chandra, PS Khajuri
Khas, SI Rakhi, PS Jyoti Nagar and
HC Vikas, PS Vivek Vihar.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

30.07.2024

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1. Petitioner has approached this Court seeking quashing of FIR No.679/2021, dated 04.10.2021, registered at Police Station Khajuri Khas for offences under Sections 323/341/506/34 IPC.

2. It is the contention of the learned Counsel for Petitioners that the present FIR is belated as it has been filed after one-and-a-half years of the incident. Learned Counsel for the Petitioners has taken this Court through certain proceedings that has transpired in the Police Station to demonstrate that the FIR is malicious and has been filed only to humiliate and harass the Petitioners.

3. When this Court suggested the learned Counsel for the Petitioners that all the arguments raised in the present Petition can be put forward before the Trial Court at the time of framing of charges, learned Counsel for the



Petitioner seeks permission to withdraw the present petition with liberty to raise all the contentions, including the contentions raised in this petition before the Trial Court at the time of framing of charges.

4. Leave and liberty, as sought for, are granted.
5. The Petition is disposed of as withdrawn, along with pending application(s), if any.
6. It is made clear that this Court has not made any observations on the merits of the case. All rights and contentions of both the parties are left open.
7. The Trial Court is directed to consider all the aspects including the contentions raised in the present Petition at the time of arguments on charge.

SUBRAMONIUM PRASAD, J

JULY 30, 2024

Rahul