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

+ **CRL.M.C. 6912/2022, CRL.M.A. 26786/2022 & CRL.M.A. 433/2024**

ARUN HANDA & ORS.

.....Petitioners

Through: Mr. Ashutosh Kaushik &  
Mr. Vansh Kalra, Advs.  
with P1 in person

versus

STATE (GOVT OF NCT. OF  
DELHI) & ANR.

.....Respondents

Through: Mr. Sunil Kumar Gautam,  
APP for the State  
SI Meenakshi, PS- CAW  
Cell/ SHD

**CORAM:**

**HON'BLE MR. JUSTICE AMIT MAHAJAN**

**ORDER**

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**04.11.2024**

1. The present petition is filed seeking quashing of the order dated 09.06.2022 pursuant to which the charges were framed against the petitioners under Sections 498A/406/34 of the Indian Penal Code, 1860.
2. The learned counsel for the petitioner submits that vague allegations were made against Petitioner Nos. 1 to 3 who are the Brother-In-Law, Father-In-Law and Mother-In-Law respectively of the complainant. He submits that the Father-In-Law and Mother-In-Law of the complainant are super senior citizens being 94 and 84 years of age respectively.
3. He submits that the Brother-In-Law, even otherwise, was staying in a different floor and no allegations in regard to cruelty could have been made against him.
4. He submits that the petitioners never stayed with the complainant or her husband and no allegations in regard to cruelty could have been made against them.



5. He submits that Petitioner No. 2 was never mentioned as an accused in the complaint given by the complainant to the Police but was implicated later at the time of filing of the chargesheet.
6. The present petition was filed way back in the year 2022. Even the notice has not been issued in the present petition.
7. The petition could not be taken up for hearing for some reason or the other and the delay for the same cannot be solely attributed to the petitioner. However, undisputedly, the petitioner has also taken adjournments on some occasions.
8. The learned counsel for the petitioner relies on the deposition of PW-1, PW-2, PW-3, PW-4 and PW-5.
9. On being asked, the learned Additional Public Prosecutor for the State submits that the trial has come to a fag end and only the Investigating Officer remains to be examined.
10. Considering the above, this Court does not consider it apposite to pre-empt the entire trial and pass an order after considering the deposition of the prime witnesses. The same would be done by the learned Trial Court after the entire evidence is complete.
11. Considering that Petitioner Nos. 2 and 3 are super senior citizens, the learned Trial Court is directed to consider their applications seeking exemption from personal appearance sympathetically.
12. The petition is disposed of with the aforesaid observations.

**AMIT MAHAJAN, J**

**NOVEMBER 4, 2024**

**“SS”**