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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 6112/2024 & CRL.M.A. 23383/2024,**
CRL.M.A. 23384/2024

SH. ANSHUL ALIAS ANSHUMAN
& ANR.

.....Petitioners

Through: Ms. Sapna Malik Adv.
(through VC)

versus

THE STATE OF NCT OF DELHI
& ANR.

.....Respondents

Through: Mr.Naresh Kumar Chahar,
APP for the State with Mr.
Bibhash Chandra Mishra,
Mr. Abhishek Saket, Mr.
Amit Chanchal Jha and
Ms. Priya Jha, Advs. with
SI Srishti, PS Subhash
Place.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

07.08.2024

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1. The present petition is filed seeking quashing of FIR No. 64/2024 dated 18.01.2024, registered at Police Station Subhash Place, for offence under Section 376 of the Indian Penal Code, 1860.
2. The learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case.
3. She submits that Petitioner No. 1 met the complainant on Jeevansathi.com. She submits that the complainant is a Doctor by profession and Petitioner No. 1 met her for the first time on 30.09.2023.
4. She submits that the complainant has a habit of alleging false and frivolous cases and on an earlier occasion, a similar FIR was registered at her instance, which was settled with the



accused.

5. She further submits that the CDR of the petitioner categorically shows that the petitioner was not present at the time of the incident.

6. Concededly, the charge sheet in the present case has already been filed and the matter is now listed for arguments on charge before the learned Trial Court on 12.08.2024.

7. It is not disputed that the learned Trial Court, after considering the arguments as raised by the petitioner in the present petition, will pass an appropriate order.

8. She submits that certain documents are in the possession of the petitioner which are essential for a just decision in the present case and the arguments on charge to be heard by the learned Trial Court.

9. The petitioner is at liberty to file an appropriate application for summoning of the evidence as sought to be relied upon.

10. The learned Additional Public Prosecutor for the State, on instructions, fairly submits that appropriate notice would be issued to the petitioner and evidence, if any, would be collected and if it is found apposite, a supplementary charge sheet would be filed before the learned Trial Court.

11. In view of the above, this Court does not consider it apposite to entertain the present petition at this stage.

12. Needless to state that the petitioner is at liberty to file appropriate proceeding in case any grievance remains.

13. The present petition is disposed of in the aforesaid terms.

AMIT MAHAJAN, J

AUGUST 7, 2024 / 'KDK'