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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 6282/2024**
TARSEM SINGH AND ORSPetitioners

Through: Mr. Archit Upadhayay, Adv. with
along with petitioner no. 3 in person.

versus

STATE OF NCT DELHI AND ORSRespondents
Through: Ms. Meenakshi Dahiya, APP for the
State with SI Ankur Kardam, PS Tilak
Nagar.

CORAM:

HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

ORDER

% **13.08.2024**

CRL.M.A. 24050/2024

Exemption allowed, subject to just exceptions.

Application stands disposed of.

CRL.M.C. 6282/2024 AND CRL.M.A. 24049/2024

1. Petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ('BNSS') has been preferred on behalf of the petitioner for quashing of FIR No. 837/2020 under Sections 341/509/34 IPC and Section 12 of POCSO Act registered at P.S. Tilak Nagar and proceedings emanating therefrom. Section 354D has been subsequently invoked.
2. Learned APP for the State appears on advance notice
3. Learned counsel for the petitioners submits that petitioners are residing on ground floor and first floor of property whereas family of respondent no.2 is residing on second floor of aforesaid property. He contends that allegations have been falsely leveled against petitioner no. 3 aged about 79 years alongwith his sons, petitioner no. 1 and 2, as a counter to complaints filed by



petitioners with SDMC with respect to unauthorized construction being carried out on third floor of said premises by the family of respondent No. 2.

4. After partly making submissions, learned counsel for petitioners does not press the petition and prays that the statement of victim and mother of victim may be directed to be recorded in a time bound manner since they have been evading to appear before the learned Trial Court. The matter is stated to be listed before the learned Trial Court for examination of witnesses on 16.08.2024.

5. Considering the facts and circumstances of the case, learned Trial Court shall examine the victim as well as her mother on 16.08.2024 and, if required, on the next date of hearing to be fixed in this regard. Further, an endeavour shall be made to conclude the trial in a time bound manner since petitioner no. 3 is aged about 79 years.

6. Petition is accordingly disposed of. Pending applications, if any, also stand disposed of.

A copy of this order be forwarded to learned Trial Court for information and compliance.

ANOOP KUMAR MENDIRATTA, J.

AUGUST 13, 2024

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