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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 8458/2024 & CRL.M.A. 32272/2024**

GURCHARAN KAURPetitioner
Through: Mr. Gurvinder Singh, Adv.

versus

STATE (NCT OF DELHI)Respondent
Through: Mr. Rajkumar, APP for the
State.
SI Rahul Yadav, PS Kirti
Nagar.

CORAM:
HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

% **24.10.2024**
CRL.M.A. 32273/2024 (for exemption)

1. Exemptions allowed, subject to all just exceptions.
2. The application stands disposed of.

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3. The petitioner seeks quashing of the FIR No.268/2024 registered at Police Station Kirti Nagar for offences under Section 420/120B of the Indian Penal Code, 1860.
4. The petitioner is essentially aggrieved that in the name of investigation, the petitioner has been harassed.
5. The learned counsel for the petitioner submits that the complaint was registered alleging right over a property No. 9/19, Ramesh Nagar, New Delhi
6. The complainant and the petitioner appears to be related to each other and have been litigating in regard to the property. The FIR was registered pursuant to an order passed by the learned Trial Court in an application filed under Section 156(3) of the Code of Criminal Procedure, 1973 (CrPC).



7. In such circumstances, it cannot be said that the complaint does not disclose commission of a cognizable offence.

8. In regard to the grievance that the petitioner being a senior citizen and a woman is being harassed and called to the Police Station for investigation, the learned Additional Public Prosecutor for the State, at the outset, submits that the petitioner being a woman and 65 years of age in terms of Section 179 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (*erstwhile* Section 160(1) of the CrPC), cannot be called to Police Station. He submits that the officer has been sensitized about the age of the petitioner and assures that no undue harassment would be caused to the petitioner.

9. He further submits that the FIR was registered recently on 07.06.2024 and the investigation is at a nascent stage. He submits that all efforts would be made to file the final report expeditiously.

10. Considering the above, the learned counsel for the petitioner seeks liberty to withdraw the present petition and file a petition at an appropriate stage in case any grievance remains.

AMIT MAHAJAN, J

OCTOBER 24, 2024

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