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

+ CRL.M.C. 9200/2024 & CRL.M.A. 35247/2024

LALIT

.....Petitioner

Through: Mr. Vinayak Bhandari & Ms. Jaisal
Singh, Advs.

versus

STATE (NCT OF DELHI) & ANR.

.....Respondents

Through: Mr. Satinder Singh Bawa, APP for
State with SI Sanjay Bansal PS
Bhajanpura

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

% **26.11.2024**

1. This petition has been filed seeking quashing of order dated 19th March 2024 passed by the Sessions Court framing of charge under Sections 506 IPC. The allegation was that the petitioner had committed an offence under Section 195A IPC by directly threatening the respondent.
2. Petitioner is on trial in S.C No.172/2023 in relation to a murder alleged to have been committed on 15th August 2017. The charge pertains to the murder of complainant's son.
3. Petitioner was granted interim bail for a period of 45 days by order dated 22nd May 2020. The allegation is that on 27th June 2020, two to three persons went to the house of informant at about 2:30 P.M. and threatened the wife of informant, stating that if they did not compromise, they would kill her husband. It was further alleged that the threat was from one 'Lalit'.
4. A case was registered under Section 195A IPC. The Sessions Court considered the evidence in support of charge, which included statement of



an independent witness as well as the statements of complainant and daughters of complainant, who was present at the time of incident. Although there was no CCTV footage and the two individuals were not identified, the Sessions Court analyzed the material and concluded that Section 195A IPC, which relates to preventing someone from giving false evidence, was not attracted. Instead, a charge under Section 506 IPC would lie, which is bailable and is to be tried by a Magistrate. Accordingly, the accused was granted bail, and matter was transferred to the Court of Magistrate.

5. Counsel for petitioner states that charge under Section 506 IPC could not have been sustained based on the material, which does not give rise to any grave suspicion.

6. However, in the opinion of this Court, the Sessions Court has adequately analyzed the material; considering that there are four statements corroborating that the alleged threats had been issued by Lalit to settle the dispute or otherwise kill the family members of complainant, the impugned order does not merit any interference.

7. Petition is, therefore, dismissed along with the pending application.

8. Order be uploaded on the website of this Court.

ANISH DAYAL, J

NOVEMBER 26, 2024/sm/tk