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

+ **CRL.M.C. 9516/2024, CRL.M.A. 36551/2024 &
CRL.M.A. 36552/2024**

JATIN KUMAR @JEETU AND ORSPetitioners
Through: Mr. Lokesh Kumar,
Ms. Misha and Mr. Haider
Khan, Advocates

versus

STATE (GNCT OF DELHI) AND ANRRespondents
Through: Mr. Manoj Pant, APP for
the State with SI Jyoti, PS
Subzi Mandi.
Mr. G.S. Sharma &
Mr. R.A. Sharma,
Advocates for R-2.

CORAM:
HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER
09.12.2024

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1. The petitioners seek quashing of FIR No. 140/2024 dated 17.02.2024, registered at Police Station Subzi Mandi for offences under Sections 498A/406/34 of the Indian Penal Code, 1860.
2. The learned counsel for the petitioners submits that frivolous allegations have been made against the petitioners by the complainant. It is submitted that the complainant has also alleged commission of rape by the father-in-law and the said allegation was made for the first time in the statement under Section 164 of the Code of Criminal Procedure, 1973, after one month of the registration of the FIR.
3. He submits that initially when the complaint was given, no such allegation was made. He further submits that there is no scientific evidence to support the allegations of the complainant.



4. He further submits that the women of the house and the distant relatives have also been unnecessarily implicated in the present case.

5. He further vehemently contends that the FIR was registered as a counterblast to the petition filed by Petitioner No. 1 seeking divorce from the complainant.

6. The chargesheet has already been filed in the present case and now the matter is listed for arguments on charge on 13.12.2024. It is not disputed that the petitioners are at liberty to take all the arguments before the learned Trial Court at the time of arguments on charge.

7. Considering the above, the learned counsel for the petitioners seeks liberty to withdraw the present petition and take all arguments before the learned Trial Court and file a petition afresh at a subsequent stage, if any grievance remains.

8. The petition is dismissed as withdrawn granting liberty to the petitioners to take all arguments as taken in the present petition before the learned Trial Court at the time of arguments on charge. The petitioners are also at liberty to file the petition afresh in case any grievance remains in future.

9. It is made clear that this Court has not made any observations on the merits of the present case and learned Trial Court shall proceed in accordance with law after considering the arguments as raised by the parties.

AMIT MAHAJAN, J

DECEMBER 9, 2024

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