



\$~107

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

+ **CRL.M.C. 9997/2024**

ASHWANI KUMAR & ANR.Petitioners
Through: Mr. Nitin Saluja
(DHCLSC) & Ms.
Sanskriti Bansal, Advs.

versus

STATE NCT OF DELHI AND ANRRespondents
Through: Mr. Naresh Kumar
Chahar, APP for the State
SI Shah Faisal, PS- New
Ashok Nagar

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

% **19.12.2024**

CRL.M.A. 38331/2024 (for exemption)

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

CRL.M.C. 9997/2024 & CRL.M.A. 38330/2024

3. The present petition is filed seeking quashing of the chargesheet arising out of FIR No. 359/2016 dated 21.06.2016, registered at Police Station New Ashok Nagar, for offences under Sections 498A/406/34 of the Indian Penal Code, 1860, and all proceedings emanating therefrom against the petitioners.
4. The learned counsel for the petitioner submits that the FIR was registered way back in the year 2016 and the charge sheet was filed belatedly in the year 2023.
5. He submits that the petitioners have been falsely implicated in the present case and the pendency of the proceedings arising out of the present FIR, which was registered way back in the year 2016, is causing grave prejudice.
6. He submits that Petitioner No. 1's sister was kept in Column No. 12 since no evidence was found against her. He



submits that this itself shows that false allegations have been made.

7. He, however, at the outset, submits that the petitioner would be satisfied if the learned Trial Court is directed to expedite the hearing of the arguments on charge.

8. The FIR in the present case was registered way back in the year 2016 pursuant to the matrimonial dispute between Petitioner No. 1 and the complainant. The chargesheet, however, was filed after delayed investigation in the year 2023. The documents filed with the present petition also indicate that Petitioner No.1 was granted an *ex parte* decree of divorce in the year 2023.

9. In such circumstances, in the opinion of this Court, the pendency of the proceedings, undisputedly, will cause grave prejudice to all the parties.

10. Considering the aforesaid discussion, the learned Trial Court is requested to consider the arguments on charge expeditiously. The learned Trial Court is also requested not to grant unwarranted adjournments to the parties.

11. The present petition is disposed of in the aforesaid terms. Pending application also stands disposed of.

12. Needless to say, the petitioners are at liberty to approach this Court in case any grievance remains in future.

AMIT MAHAJAN, J

DECEMBER 19, 2024

“SS”