



\$~12

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

+ **CRL.M.C. 10194/2024**

VIRUPAK SHAGOUDA S.

DODDAGOUDRA

.....Petitioner

Through: Mr. Abhinav Garg and
Mr. Chandrasekhar A.
Chakallabi, Advs.

versus

STATE OF NCT OF DELHI & ANR.Respondents

Through: Mr. Rajkumar, APP for the
State with SI Meenakshi
Mann, PS North Rohini
Delhi.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

%

24.12.2024

**CRL.M.A. 39089/2024 (exemption from filing dim / illegible /
true typed / original / certified copy of annexures)**

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

CRL.M.C. 10194/2024 & CRL.M.A. 39088/2024

3. By the present petition, the petitioner seeks quashing of proceedings arising out of FIR No. 574/2022 dated 30.11.2022, registered at Police Station North Rohini, for offence under Section 376 of the Indian Penal Code, 1860.

4. The learned counsel for the petitioner submits that the victim and the petitioner were in a consensual relationship and the FIR was registered after their relationship had turned sour.

5. He submits that the victim, after having realized her mistake, had also executed a settlement agreement dated



27.01.2023, wherein it was noted that the FIR was registered on a misunderstanding.

6. He submits that it was noted that the victim and the applicant belong to different communities and due to this, they could not get married and had decided to part ways.

7. It is further contended that the victim had also agreed that she would cooperate in quashing of the present FIR, however, subsequently had resiled from the settlement and is not coming forward.

8. He submits that the applicant was also admitted on bail by the learned Trial Court noting that the prosecutrix has no objection.

9. He submits that such facts makes it abundantly clear that no false promise of marriage was ever made by the petitioner.

10. He further submits that the petitioner is a resident of Karnataka and work in a Government hospital and the pendency of the present case has been causing grave prejudice.

11. The learned Additional Public Prosecutor for the State submits that the matter is now listed for arguments on charge.

12. Concededly, the charge sheet has been filed in the present case and the matter is now fixed for arguments on charge before the learned Trial Court.

13. It is undisputed that the learned Trial Court is competent to consider the arguments as raised in the present case and pass an appropriate order. The petitioner, therefore, has an alternate efficacious remedy to address his arguments.

14. In view of the above, this Court does not consider it apposite to entertain the present petition at this stage.

15. The present petition is, therefore, dismissed with liberty to



the petitioner to address all arguments before the learned Trial Court.

16. Needless to state that the petitioner is at liberty to approach this Court in case any grievance remains in future.

17. Considering the peculiar facts as noted above and the fact that the petitioner is a resident of Karnataka, this Court considers it apposite to exempt the petitioner from personal appearance till the arguments on charge are heard by the learned Trial Court. The petitioner, however, is directed to remain present before the Court through video conferencing.

18. The learned Trial Court is directed to consider the arguments on charge expeditiously.

19. The present petition is disposed of in the aforesaid terms.

AMIT MAHAJAN, J

DECEMBER 24, 2024

'KD'