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

+ **CRL.REV.P. 491/2015**

**STATE (GOVT OF NCT OF DELHI)**

.....Petitioner

Through: Mr. Aashneet Singh, APP for State  
SI Deepak PS Dabri & ASI Mangtu  
Ram PS Dwarka Sector 23

versus

**PRINCE & ORS**

.....Respondents

Through:

Mr. Aditya Sharma & Mr. Rajat  
Aneja, Advocates (as *Amicus Curiae*)  
for R-1 & 2

**CORAM:**

**HON'BLE MR. JUSTICE ANISH DAYAL**

**ORDER**

**05.11.2024**

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1. This petition has been filed by the State challenging discharge of accused/ respondents under Section 397 IPC in FIR No. 259/2014 PS Dabri. The FIR was originally registered under Sections 392/411/397/34 IPC, however, by impugned order dated 4<sup>th</sup> September 2014, passed by the ASJ, Dwarka, petitioners were discharged from the offence punishable under Section 397 IPC, on the basis that no recovery of any weapon, was effected from them.
2. It transpires on perusing the TCR that petitioners (respondents herein) had been acquitted of the offences charged with.
3. Accordingly, in the opinion of this Court, nothing further survives,



considering that charge under Section 397 IPC, would also be effectively based on aspect of robbery under section 392 IPC.

4. Accordingly, this petition stands dismissed.
5. Order be uploaded on the website of this Court.

**ANISH DAYAL, J**

**NOVEMBER 5, 2024/sm**