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

+ **CRL.M.C. 2073/2025**

PRATIK JINDAL & ANR.

.....Petitioners

Through: Mr. Prag Chawla, Advocate.

versus

STATE GOVT. OF NCT OF DELHI AND ANR.Respondents

Through: Ms. Manjeet Arya, APP with SI
Himanshu, PS-Sagarpur.

CORAM:

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

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27.03.2025

CRL.M.A. 9312/2025 (exemption)

Allowed, subject to all just exceptions.

This application stands disposed of.

CRL.M.C. 2073/2025 & CRL.M.A. 9311/2025 (exemption from personal appearance before Trial Court), CRL.M.A. 9310/2025 (stay)

1. This is a criminal miscellaneous main petition, filed on behalf of petitioner under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (Section 482 Cr.P.C.) for quashing FIR No. 118/2025 dated 08.02.2025 under Sections 384/506/120B IPC, registered at Police Station Sagarpur and consequent CT Case No. 48519/2016, titled as, "State vs. Anil Jindal & Ors.", pending before the Court of learned JMFC-03, Patiala House Courts, New Delhi.

2. Learned counsel for petitioners submits that while the case was listed



for arguments on charge, the trial Court was informed that petitioner No. 1 was minor and was aged about 6 years at the time of alleged incident. It is submitted that instead of getting the same verified through the Investigating Officer, the trial Court deemed it necessary to hear respondent No. 2/complainant with regard to the same before deciding the question of charge.

3. It is further submitted that the said order was passed by the trial Court on 05.03.2022. Respondent No. 2/complainant has not been appearing despite service and, therefore, the matter is getting dragged.

4. It is not understood why the complainant is to be heard on the question as to whether petitioner No. 1 was minor at the time of alleged incident.

5. Learned APP appearing for State submits that directions may be given to Investigating Officer for verification of age of petitioner No. 1. Learned counsel appearing for the petitioners has no objection in case such directions are issued.

12. Keeping in view the submissions made, the petition is disposed of with directions to the Investigating Officer to verify the age of petitioner No. 1 and to place a report in this regard before the learned trial Court on or before the next date fixed.

13. It is made clear that if this was the only purpose for summoning the complainant, then after receiving the report of Investigating Officer, learned trial Court shall proceed with the question of framing of charge.

RAVINDER DUDEJA, J

MARCH 27, 2025/vd