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

+ CRL.M.C. 1527/2020 & CRL.M.A. 8166/2020

VARSHA JOSHI

.....Petitioner

Through: Mr. C. L. Gupta with Mr. Vaibhav Gupta, Advs. with petitioner, Mr. V. K. Malhotra in person.

versus

GOVT OF NCT OF DELHI & ANR

.....Respondents

Through: Mr. Pradeep Gahlot, APP with Insp. Arvind Negi, ACP/Swaroop Nagar (OND).

Mr. Ankit Rana, Adv. for R-2.

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+ CRL.M.C. 1528/2020, CRL.M.A. 8168/2020, CRL.M.A. 5615/2021 & CRL.M.A. 5616/2021

VK MALHOTRA

.....Petitioner

Through: Mr. C. L. Gupta with Mr. Vaibhav Gupta, Advs. with petitioner, Mr. V. K. Malhotra in person.

versus

GOVT OF NCT OF DELHI & ANR

.....Respondents

Through: Mr. Pardeem Gahlot, APP with Insp. Arvind Negi, ACP/Swaroop Nagar (OND).

Mr. Ankit Rana, Adv. for R-2.

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

27.02.2025

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1. These are petitions seeking quashing of the FIR No. 287/2020, dated 12.06.2020, registered at PS Narela Industrial Area under Sections 3(1)(r)/3(1)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, and all consequential proceedings



emanating therefrom.

2. Mr. Gupta, learned counsel for the petitioners states that the perusal of the FIR itself shows that the ingredients of the offence have not been made out.
3. He further submits that even without admitting the averments in the FIR, if taken on their face value, the same have not been made in public view and the same are not addressed to the complainant. Further, the witnesses are not public witnesses.
4. After some arguments, learned counsel states that since the matter is at the stage of framing of charge before the trial court, he may be permitted to raise all the issues before the trial court at the time of framing of charges, and if aggrieved, he may be granted liberty to approach the court after framing of charges.
5. Granting the said liberty and permitting the petitioners to raise all these arguments before the concerned court at the time of framing of charge, the petitions are disposed of.

JASMEET SINGH, J

FEBRUARY 27, 2025/pk

Click here to check corrigendum, if any