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

+ CRL.M.C. 4826/2025

SMT. SHANTI DEVI & ORS.

.....Petitioners

Through: Mr. Rohit Gautam, Mr. Abhay and
Mr. Akash Ranjan, Advocates with
petitioners in person.

versus

STATE OF NCT OF DELHI
THROUGH SHO & ANR.

.....Respondents

Through: Mr. Sanjeev Sabharwal, APP for the
State.
Respondent no. 2 in person.

CORAM:
HON'BLE MR. JUSTICE ARUN MONGA

ORDER
22.07.2025

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1. Petitioners before this court i.e. Smt. Shanti Devi (mother of the prime accused), Mrs. Nisha (sister) and Mr. Naveen Kumar (brother) seek quashing a notice dated 10.06.2025 issued by the Investigating officer in FIR No. 303/2025 dated 23.005.2025 registered under Section 376 of IPC at Police Station, Budh Vihar, Delhi and under Sections 354, 323, 341, 506, 509, 34 of the IPC, registered at Police Station Vivek Vihar and further seeks interim protection and direction for fair investigation.

2. Heard.

3. Learned counsel for petitioner submits that the prime accused is already in judicial custody. As far as the petitioners are concerned, they have nothing to do, and whatever may have happened between the prosecutrix



and the prime accused and petitioner no. 1 in their personal matter as relationship between them was purely consensual. Petitioners are family members and have been falsely implicated to put pressure on the entire family.

4. Issue notice. Learned APP accepts notice on behalf of the State.

5. At the outset, learned APP fairly states, under instructions of the IO, who is preset in Court that as of today, there is no requirement of any custodial interrogation of the petitioners. They were issued notice merely to do give their statements in respect of the allegations made by the prosecutrix.

6. Furthermore, he would apprise the Court that in fact, they were summoned by the IO and after recording their statements, they have been let off. Even the charge sheet is at advance stage of preparation and shall be filed in due course.

7. In view of the aforesaid, I am of the view that the petition has been filed on the basis of some misplaced apprehension that the petitioners are likely to be arrested without there being any material against them.

8. Be that as it may, their apprehension does not survive in view of what has been apprised by the learned Public Prosecutor.

9. Accordingly, the petition is disposed of with the expectations that the charge sheet which is under preparation, shall be filed in due course as expeditiously as possible and until the needful is done the petitioners shall not be again summoned to the police station. Disposed of accordingly.

ARUN MONGA, J

JULY 22, 2025

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