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

+ CRL.M.C. 6978/2024

HARENDER KUMARPetitioner

Through: Mr. Chiranjeev Chauhan, Advocate

versus

STATE NCT OF DELHI AND ANR.Respondents

Through: Mr. Manoj Pant, APP for the State
with SI Rupa
Victim in person

(3)

+ CRL.M.C. 8206/2024 & CRL.M.A. 31340/2024

OMBIR SINGHPetitioner

Through: Mr. Chiranjeev Chauhan, Advocate

versus

STATE NCT OF DELHI AND ANR.Respondents

Through: Mr. Manoj Pant, APP for the State
Victim in person

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

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11.03.2026

1. By way of the instant petitions, the petitioners seek quashing of FIR bearing No. 302/2024, registered at Police Station G.T.B. Enclave, Delhi for the commission of offence punishable under Section 376D of the Indian Penal Code, 1860 (hereafter 'IPC'), and its subsequent criminal



proceedings, if any pending before the learned Trial Court.

2. The victim is present in person and states that she does not want assistance of Legal Aid Counsel and states that her case can be argued by the learned APP for the State for the State.

3. The learned counsel appearing on behalf of the petitioner states that the victim had made statement under Section 164 of the Cr.P.C. on 26.06.2024 wherein she had supported the prosecution case. However, on 12.08.2024, upon an application being moved by the prosecutrix herself and it being allowed, the learned Trial Court was pleased to direct that her statement under Section 164 of Cr.P.C. be again recorded, wherein she has resiled from her earlier statement.

4. The learned APP for the State for the State, on the other hand, states that the charges in this case have yet not been framed.

5. This Court has taken note of the two contradictory statements wherein in the first statement, the victim has supported the prosecution case and in the second statement, she states that the first statement was given by her under pressure of a lady from an NGO, whom she met in the Police Station.

6. In view thereof, this Court deems it appropriate that in the light of these circumstances, the learned Trial Court will hear arguments and pass appropriate orders on charge.

7. This Court is informed that the matter is listed before the learned Trial Court on 28.05.2026 for arguments on charge. The learned Trial Court will ensure that the order on charge is passed within a period of one month from the date fixed before it, since it is stated that arguments in this case have been part-heard.

8. The concerned Investigating Officer and the victim are directed to



remain present before the learned Trial Court on the said date.

9. In view of above terms, the present petitions stand disposed of.

10. The petitioners are at liberty to file fresh petition, in case, the need so arises.

11. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

MARCH 11, 2026/ns

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