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

+ **CRL.M.C. 3867/2023**

**JAI PRAKASH & ORS.**

..... Petitioners

Through: Mr. Arun Shyam, Sr. Adv. with Mr. Askhay Vashisht, Mr. Suyash Pande, Mr. Ajay Awasthi, Mr. Suyash Goverdhan, Mr. Nitin Kumar, Mr. Shrey Sharawat, Mr. Harsh Dahiya and Mr. Vijay, Advs.

versus

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

..... Respondent

Through: Mr. Hemant Mehla, APP for State and Insp. Gurdeep Kaur, PS Civil Lines.

**CORAM:**

**HON'BLE MR. JUSTICE DINESH KUMAR SHARMA**

**ORDER**

**25.05.2023**

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**CRL.M.A. 14512/2023**

Exemption allowed subject to just exceptions.

**CRL.M.C. 3867/2023**

The present petition has been filed with the following prayer:

*“a. Quashing Of FIR No. 200 Of 2022 Dated 30.03.2022 u/s 186, 188, 353 IPC & Sec 3 PDPP Act Registered At P.S. Civil Lines Along With Subsequent Proceedings, Including The Chargesheet dated 17.07.2022 & Summoning Order Dated 19.10.2022 Emanating Therefrom Cr. Case No. 12/2022, against the Petitioners, and/or;”*



Learned senior counsel for the petitioners submits that the FIR was lodged *suo motu* by the Delhi Police. Learned senior counsel for the petitioners were not even present.

Learned senior counsel submits that initially complaint was lodged on the statement of certain unknown person and only later on the statement of certain co-accused person the present petitioners were implicated falsely in the present case.

Issue notice.

Learned APP for the state has accepted the notice.

Let status report be filed before the next date of hearing.

It has been stated that connected matter CRL.M.C. 3077/2023 titled Raju Bista vs State NCT of Delhi is fixed for 04.08.2023.

Let this matter be also listed on 04.08.2023.

**CRL.M.A. 14513/2023**

The present application has been filed for grant of interim stay of the proceedings in CRL.M.C.12/2022 titled as "State vs. Vasu Rukhar & Ors."

Learned senior counsel submits that there is no incriminating evidence produced by the Delhi Police against the petitioners that admits them to array as accused. It has been submitted that if the proceedings continue against the accused persons it will prejudice them. It has further been submitted that in CRL.M.C.3077/2023 on the identical facts the proceedings were stayed till the next date of hearing.

Issue notice.

Learned APP for the State has accepted the notice.



The proceedings qua the present petitioner shall remain stayed till the next date of hearing.

List on 04.08.2023.

**MAY 25, 2023/AR**

**DINESH KUMAR SHARMA, J**