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

+ CRL.M.C. 2856/2025

BHARAT NARULA

.....Petitioner

Through: Mr. Vipin Kumar Mishra, Advocate
Petitioner is also present through VC

versus

THE STATE OF NCT OF DELHI & ANR.Respondents

Through: Mr. Aman Usman, APP for the State
with SI Satish, PS Model Town
Mr. Manoj Kumar, Advocate for R-2
Ms. Seema Narula, R-2 is present
through VC

CORAM:

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

% **05.05.2025**

CRL.M.A. 12760/2025 (EXEMPTION)

Allowed, subject to all just exceptions.

Application stands disposed of.

CRL.M.C. 2856/2025

1. This is a petition under Section 528 BNSS, praying for quashing of FIR No. 175/2010 dated 11.05.2010, PS Kingsway Camp/Model Town, under Section 307 IPC and the consequential proceedings arising therefrom.
2. Perusal of the record reveals that the FIR has been registered under Section 307 IPC and charge sheet has been filed under Section 307/428 IPC, but according to learned for the petitioner, charge sheet has been filed against the present petitioner only under Section 498-A/406 IPC. Copy of the charge placed on record is not very legible as the FIR number is not readable.



3. Learned Additional PP submits that FIR does not prima facie disclose the commission of offence under Section 498-A/406 IPC in respect of the offence under Section 307/428 IPC.
4. Since the charge sheet was filed under Section 307/428 IPC, the case must have been committed to the Sessions Court and only if the Sessions Court finds that no Session triable offence is made out, only then, the matter is remitted to the court of Magistrate. No such record has been placed with the petition. Trial Court Record be requisitioned in the digitized format with proper bookmarking.
5. Renotify on 28.08.2025.
6. Also issue notice.
7. Notice accepted by learned Additional PP for the State.
8. Status Report be filed before the next date.

RAVINDER DUDEJA, J.

MAY 5, 2025

RM