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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 13/2022, CRL.M.A. 109/2022**

SURENDER KHATRI

..... Petitioner

Through: Mr.Amit Prasad, Mr.Ayodhya Prasad
and Mr.Tushar Arora, Advocates.

versus

STATE

..... Respondent

Through: Mr.R.S. Kundu, ASC for the State
with Mr.Mukul Dagar and Mr.Neetej
Kumar, Advocates with SI Amit
Kumar, P.S. Mundka.

CORAM:

HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

ORDER

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11.07.2022

Petition has been preferred on behalf of the petitioner under Article 226 of the Constitution of India read with Section 482 Cr.P.C. for quashing the FIR No.1099/2021, under Section 201 I.P.C. registered at Police Station: Mundka.

Learned counsel for the petitioner submits that the present FIR has been directed to be registered by the learned Trial Court against the petitioner, who is the owner / superdar of the car for allegedly changing the rear wind screen of the case property i.e. the car which had a torn sticker, on the basis of which the witness of the case had identified the car which was used for the commission of the alleged offence for which the trial is being conducted in the learned Trial Court.

It is further urged that main case is pending trial and is presently at the stage of evidence. The directions had been issued for registration of present FIR against the petitioner after the testimony of the eye-witness PW-1/ Jai Naryan had been recorded.



It is also contended that the registration/continuation of the impugned FIR is contrary to the settled principles of law and the alleged removal of the sticker was not with the intention of saving the offender from legal punishment. It is pointed out that the vehicle had been given to a distant relative which was subsequently found to be used in commission of murder.

Considering the facts and circumstances of the case, proceedings in FIR No. 1099/2021, under Section 201 I.P.C. registered at Police Station: Mundka are stayed till the next date of hearing.

Trial court record be summoned in digital format in FIR No.356/2022, under Section 302 I.P.C. and Section 27 of the Arms Act registered at Police Station: Mundka.

List on 11.11.2022.

ANOOP KUMAR MENDIRATTA, J.

JULY 11, 2022/R