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

+ CRL.M.C. 4943/2025

HARPRIYA ANEJA

.....Petitioner

Through: Mr. Mukesh Kalia, Ms. Kanika Vohra
and Mr. Shivam Sharma, Advocates.

versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Mukesh Kumar, APP.
Insp. Somil Sharma, PS: Model
Town.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

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25.07.2025

CRL.M.A. 21430/2025(seeking exemption)

1. Exemption is granted, subject to all just exceptions.
2. The Petitioner shall file legible and clearer copies of exempted documents, compliant with practice rules, before the next date of hearing.
3. Accordingly, the application stands disposed of.

CRL.M.C. 4943/2025

4. The present petition filed under Section 482 of the Code of Criminal procedure, 1973¹ seeks grant of stay in the trial proceedings arising out of FIR No. 155/2018 under Sections 302/307/34 of the Indian Penal Code, 1860 registered at P.S. Model Town. The Petitioner has been arrayed as an accused in the said FIR. It is pointed out that a cross-FIR bearing No.

¹ "Cr.P.C."



154/2018, arising from the same incident, was also registered at P.S. Model Town, wherein the Petitioner is the Complainant. In the said FIR, charges were framed against the accused persons by order dated 31st October, 2018. In a revision petition filed against the said order [CRL. REV. P. 1075/2018], this Court had passed the following order on 4th December, 2018:

“Crl.M.A. No.48762/2018 (for exemption)

Allowed, subject to all just exceptions.

CRL.REV.P.1075/2018 & Crl.M.A. No.48763/2018 (for stay)

1. At the outset, learned senior counsel for the petitioners submits that it is an admitted position that in the unfortunate incident that took place on 26.04.2018, Sh. Gurjeet Singh who was the father of the petitioner no. 1 and 3 and the husband of the petitioner no.2, had been murdered. However, while the investigation qua the FIR No.155/2018 registered on the basis of petitioner no.2's complaint is still going on and no chargesheet has been filed till date in respect thereof, in the cross FIR No.154/2018 based on the very same incident in which the petitioners have been named as accused persons, the learned Trial Court has hastened to pass an order on charge and frame charges against the petitioners despite the request of the petitioners to adjourn the matter. Furthermore, in addition to framing charges against the petitioners, the matter has also been fixed in December itself for recording the evidence of the prosecution witnesses. By placing reliance on the decisions of the Supreme Court in **State of M.P. vs. Mishrilal (Dead) & Ors. [AIR 2003 SC 4089]** as also **Nathi Lal & Ors. vs. State of U.P. & Anr. [1990 SCC (Crl.) 638]**, he contends that it is a settled legal position cross cases should be tried together by the same Court, irrespective of the nature of the offences involved and, therefore, there is no justification as to why when the chargesheet in the cross FIR has not been filed till date, the trial in FIR No.154/2018 is being unduly hastened.

2. Learned senior counsel for the petitioners further submits that the impugned order framing charges against the petitioners is even otherwise liable to be set aside as the same has been passed without even examining the entire material brought on record and, therefore, shows clear non-application of mind by the learned Trial Court. He, thus, prays that further proceedings in the matter arising out of FIR No.154/2018 be stayed.

3. Issue notice. Mr.Chadha, learned APP accepts notice. He prays for and is granted three weeks' time to file a status report regarding the stage of investigation in the cross FIR No.155/2018.

4. In the meanwhile, the learned Trial Court is directed to defer the trial proceedings qua FIR No.154/2018 to a date after the next date of



hearing fixed by this Court.

5. *List on 09.01.2019.*

DASTI''

4. Mr. Mukesh Kalia, counsel for the Petitioner, submits that since proceedings before the Trial Court have been stayed pending decision of this Court in CRL. REV. P. 1075/2018, a similar direction may be passed in the instant matter.

5. Issue notice. Mr. Mukesh Kumar, APP for the State, accepts notice.

6. Status report be filed before the next date of hearing.

7. The Trial Court is directed to defer further proceedings in FIR No. 155/2018, P.S. Model Town to a date after the next date of hearing fixed by this Court.

8. List this matter along with CRL. REV. P. 1075/2018 on 26th August, 2025.

SANJEEV NARULA, J

JULY 25, 2025

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