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

+ **CRL.REV.P. 1350/2024**

HEM SINGH BHARANAPetitioner
Through: Mr. Harish Malhotra, Sr.
Adv. with Mr. Tanmay
Nagar, Ms. Srishti Kamboj
& Ms. Shamli Verma,
Advocates

versus

STATE GOVT. OF NCT OF DELHI
AND ANR.Respondents
Through: Mr. Naresh Kumar
Chahar, APP with SI
Ramavtar, PS Hauz Khas.

CORAM:
HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER
10.12.2024

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CRL.M.A. 37109/2024 (exemption)

1. The exemption is allowed, subject to all just exceptions.
2. The application is disposed of.

CRL.REV.P. 1350/2024 & CRL.M.A. 37108/2024 (stay)

3. The petitioner challenges the order dated 02.09.2024, pursuant to which charges were framed against the petitioner under Sections 323/506/509/379/494/376/495 of the Indian Penal Code, 1860 ('**IPC**') in FIR No. 555/2001 dated 13.07.2001.
4. The learned Senior Counsel for the petitioner submits that the prosecutrix and the petitioner had known each other since the year 1992. He submits that the prosecutrix prior to giving a complaint, which led to registration of the FIR, had also filed a suit seeking declaration that the marriage performed between the petitioner and the prosecutrix is null and void. The said suit was



withdrawn.

5. He submits that the prosecutrix was always aware of the marital status of the petitioner. He submits that many years after the registration of the FIR the prosecutrix in the year 2008 filed a separate complaint under Section 200 of the Code of Criminal Procedure, 1973, making further allegations with regard to offence under Sections 376/495/506 IPC. He submits that the proceedings in the said complaint were tagged with the proceedings in the FIR No. 555/2001, registered at Police Station Hauz Khas and the present impugned order is passed.

6. He further relies upon certain documents to indicate that the prosecutrix was always aware of the marital status of the petitioner. He relies upon the LIC policies taken by the petitioner where the prosecutrix was named as a nominee alongwith his daughter from the first wife. He submits that party at some stage had fallen apart and the same has led to registration of cases.

7. Issue notice.

8. The learned Additional Public Prosecutor for the State accepts notice.

9. Issue notice to the respondent No. 2 through I.O. for 25.03.2025.

AMIT MAHAJAN, J

DECEMBER 10, 2024

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