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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 3095/2015 & CrI.M.As.11024-25/2015
MOHD. MUDASSAR NAZAR Petitioner
Through: Mr. Gurmeet Singh, Advocate

versus

STATE & ANR Respondents
Through: Mr. Vinod Diwakar, Additional
Public Prosecutor for respondent-
State with SI Arvind Kumar

CORAM:
HON'BLE MR. JUSTICE SUNIL GAUR

% **ORDER**
03.08.2015

Petitioner, who is brother-in-law (*Jija*) of the complainant/first-informant of the FIR No.922/2014, under Sections 498-A/506/34 of the IPC, registered at police station Shakarpur, Delhi, seeks quashing of the aforesaid FIR by submitting that charge-sheet has been filed in this case and petitioner has been put in column No.XII of the charge-sheet and during the course of investigation, no evidence is found against petitioner.

At the hearing, learned counsel for petitioner has placed on record copy of charge-sheet and submitted that petitioner has not been summoned by the trial court in view of there being no evidence against him, but the pendency of a criminal case against him is a stigma, as it will always stand in his way and so, to secure ends of justice, the FIR in question be quashed qua petitioner. Reliance is also placed by learned counsel for petitioner upon decision of Apex Court in *Preeti Gupta &*

anr. Vs. State of Jharkhand & anr. in support of his contentions.

Upon notice, Mr. Vinod Diwakar, learned Additional Public Prosecutor for respondent-State, submits that no evidence is found against petitioner and so, he has not been summoned as accused.

In such a situation, applying the dictum of Apex Court in *Preeti Gupta (supra)* to the facts of the instant case, I see no purpose in keeping the FIR in question alive *qua* petitioner.

Accordingly, this petition is allowed and FIR No.922/2014, under Sections 498A/506/34 of the IPC, registered at police station Shakarpur, Delhi and proceedings emanating therefrom are quashed *qua* petitioner.

This petition and applications are accordingly disposed of.

(SUNIL GAUR)
JUDGE

AUGUST 03, 2015

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