

Rohtash Tomar vs.state

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Court : Delhi

Decided On : Jan-07-2019

Appellant : Rohtash Tomar

Respondent : State

Judgement :

* IN THE HIGH COURT OF DELHI AT NEW DELHI Date of Order: January 07, 2019 + CRL.M.C. 2/2019 ROHTASH TOMAR

... Petitioner

STATE Through: Mr. Jaideep Malik, Advocate Versus Through: Ms. Aasha Tiwari, Additional Public Prosecutor for respondent-State with SI Prem Yadav
Respondent CORAM: HON'BLE MR. JUSTICE SUNIL GAUR

ORDER

(ORAL) CrI.M.A. 11/2019 (u/S482Cr.P.C.) Allowed subject to all just exceptions. CRL.M.C. 10/2019 & CrI.M.A. 10/2019 (for stay) Quashing of FIR No.673/2015, under Sections 186/353/2

IPC, registered at police station Nangloi, Delhi is sought on the ground that without sanction under Section 195 Cr.P.C, charge under Section 224 of IPC cannot be framed. To submit so, reliance is placed upon decisions of Coordinate Bench of this Court in Gurinder Singh Vs. State of Delhi 1996 LawSuit (Del) 463 and Sushil Sharma & Anr. Vs. State & Anr. 2015 SCC OnLine Del 7655. Upon hearing and on perusal of charge and decisions cited, I find that the allegation against petitioner

for the offences under Section 186 CrI.M.C. 2/2019 Page 1 of 2 and 224 of IPC are not interwoven and so, reliance placed upon decisions in Gurinder Singh and Sushil Sharma (Supra) is of no avail. The concurrent findings of the courts below do not suffer from any illegality or infirmity. In the considered opinion of this Court, no case is made out for invoking extra-ordinary inherent jurisdiction under Section 482 Cr.P.C. to interfere with the impugned orders. This petition and application are accordingly dismissed. (SUNIL GAUR) JUDGE JANUARY07 2019 r CrI.M.C. 2/2019 Page 2 of 2

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