

# Pradeep Yadav vs State (Govt. Of Nct Of Delhi) & Anr on 29 September, 2020

**Author: Anu Malhotra**

**Bench: Anu Malhotra**

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IN THE HIGH COURT OF DELHI AT NEW DELHI

CRL.M.C. 1469/2020

PRADEEP YADAV

Through: Mr. Rishabh Kumar, Adv.  
petitioner. ...

Versus

STATE (GOVT. OF NCT OF DELHI) & ANR. .... Respondents

Through: Mr. Kewal Singh Ahuja, APP for  
State with Mr. Vijay Singh, ACP  
Mr. Gulab Singh, Adv. for  
complainant with complainant.

CORAM:

HON'BLE MS. JUSTICE ANU MALHOTRA  
ORDER

% 29.09.2020 The present petition has been filed by the petitioner seeking quashing of the FIR No.139/2020 registered under Sections 3(1)(r)(s)(g)/3(2)(va) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 and Section 447/506/43 of the Indian Penal Code, 1860 and further prayer made therein. A prayer had also been made by the petitioner vide Crl.M.A.6151/2020 seeking a stay of the arrest of the petitioner during the pendency of the present petition and vide order dated 15.05.2020 it was directed that the said prayer could not be granted in view of provision under Section 18A of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989. Vide order dated 15.05.2020, however, the petitioner had been directed to surrender before the learned trial Court of the ASJ, South-West District, Dwarka Courts on 16.05.2020 latest by 3 pm and subject to surrender of the petitioner before the learned trial Court, the proceedings under Section 82 of the Cr.PC, 1973 were directed to be not proceeded further. Vide order dated 15.05.2020, it was also specifically observed that there was no ground for stay of the investigation in the FIR and that it did not amount to any expression on the merits or demerits of the prayer in the petition seeking quashing of the FIR.

The status report that had been submitted for the date 17.07.2020 indicated that the petitioner had been granted interim bail vide order dated 09.06.2020 and on that day it was found that the investigation of the case was still in progress. As per the status report dated 28.09.2020 submitted by the State under the signatures of Vijay Singh, Investigating Officer, ACP/ Operations, Dwarka, District North, Delhi, the charge sheet has already been filed on 06.08.2020.

Learned counsel for the petitioner has submitted that there are additional documents that have been sought to be filed and submits that an application was filed on 17.07.2020, no such application is found to have been listed along with any such document however.

In as much as the State has informed that the charge sheet has been filed in the matter, it is open to the petitioner to place the said documents before the learned trial Court, which the learned trial Court may consider in accordance with law.

In view of the charge sheet having been filed with liberty having been granted to the petitioner hereinabove that the documents, if any, sought to be filed by the petitioner may be considered by the learned trial Court in accordance with law, learned counsel for the petitioner seeks to withdraw the present petition, which is thus dismissed as withdrawn with liberty granted, as prayed.

ANU MALHOTRA, J SEPTEMBER 29, 2020/vm