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

+ **CRL.M.C. 1348/2022 & CRL.M.A. 5938/2022**

DR. RUCHIKA SOOD

.....Petitioner

Through:

versus

STATE NCT OF DELHI AND ANR.

.....Respondents

Through: Mr. Yudhvair Singh Chauhan, APP for the State with Mr. Ankit Kumar Singh, Mr. Manish Sharma, Mr. Sandeep Singh, Mr. Abhishek Jakhar, Ms. Astha Modi, Ms. Vasuchit Anand and Mr. Shashank Harit, Advocates. Mr. Sachin Jain and Mr. Hardeep S. Sodhi, Advocates for Respondent No.2 with Respondent No.2 in person.

SI Dhyanendra, PS Dabri

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

31.07.2024

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1. Amended Memo of Parties has been filed.
2. Issue Notice to Respondent No.2/Complainant.
3. Learned Counsel for Respondent No.2/Complainant accepts notice.
4. At this juncture, notice is not being issued to Respondents No.3 to 6, who are the other co-accused.
5. Learned Counsel for Respondent No.2/Complainant raises a question of the maintainability of the present Petition. He states that when the present Petition was filed for quashing the FIR, the Police Report had already been



filed wherein the Petitioner was kept in Column 12, however, the Magistrate has taken cognizance of the offence and has issued summons against the Petitioner. Learned Counsel for the Respondent No.2/Complainant, therefore, states that once cognizance has been taken by the Magistrate and summons have been issued, the Petitioner cannot file a Petition seeking quashing of the FIR.

6. List on 10.09.2024.

SUBRAMONIUM PRASAD, J

JULY 31, 2024

Rahul