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**IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR
BEFORE
HON'BLE SHRI JUSTICE MANINDER S. BHATTI
ON THE 22nd OF MARCH, 2024
WRIT PETITION No. 20585 of 2023**

BETWEEN:-

1. **DHANIRAM CHAKRAVARTI S/O MUNNALAL CHAKRAVARTI, AGED ABOUT 57 YEARS, OCCUPATION: RAILWAY EMPLOYEE R/O KUMHAR MOHALLA, GALI NEAR ANAND KIRANA STORES , WARD NO 11, JUHLA MURWARA (MADHYA PRADESH)**
2. **SANTOSHI BAI CHAKRAVARTI W/O DHANIRAM CHAKRAVARTI, AGED ABOUT 54 YEARS, OCCUPATION: HOUSEWIFE R/O KUMHAR MOHALLA GALI NEAR ANAD KIRANA STORES WARD NO. 11 JUHLA MURWARA KATNI (MADHYA PRADESH)**
3. **SANDEEP CHAKRAVARTI S/O DHANIRAM CHAKRAVARTI, AGED ABOUT 31 YEARS, OCCUPATION: LABOUR R/O GRAM JUHLI POST JUHLA DISRICT (MADHYA PRADESH)**

....PETITIONER

(BY MS. ANCHAN PANDEY - ADVOCATE)

AND

1. **THE STATE OF MADHYA PRADESH THROUGH THE SECERTARY HOME DEPARTMENT MANTRALAYA VALLABH BHAWAN BHOPAL (MADHYA PRADESH)**
2. **THE SUPERINTENDANT OF POLICE THANA N.K.J KATNI DISTRICT KATNI (MADHYA PRADESH)**
3. **THE THANA INCHARGE POLICE STATION N.K.J DISTRICT KATNI (MADHYA PRADESH)**
4. **SMT. NISHA PRAJAPATI W/O MAHENDRA PRAJAPATI OCCUPATION: LABOUR R/O GRAM JUHLI THANA N.K.J KATNI (MADHYA PRADESH)**

.....RESPONDENTS

(BY SHRI KAMALNATH NAYAK - PANEL LAWYER)

(SHRI MANOJ KUMAR SINGH - ADVOCATE FOR RESPONDENT NO.4)

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This petition coming on for admission this day, the court passed the following:

ORDER

This is a petition for deleting the name of the petitioners from the FIR and also removal of their name from trial RCT No.6091/2015.

2. Learned counsel for the petitioner contends that the petitioners have been falsely implicated in the case on the basis of FIR lodged under Sections 498-A, 323, 506, 34 of IPC and Sections 3, 4 of Dowry Prohibition Act. It is contended by the counsel that the FIR reflects that omnibus allegations have been levelled against the petitioners without demonstrating their specific conduct. It is also contended by the counsel that the FIR was lodged with *malafide* intention. The petitioner no.1 is an employee of railway and he is at the verge of superannuation, therefore, the prosecution is going to cause serious detriment to his service conditions. Thus, counsel submits that the FIR so far as it relates to present petitioners be quashed.

3. Per contra, learned counsel for the State as well as respondent 4 submit that the present petition deserves to be dismissed. In the present case, the FIR was lodged way back on 15.07.2015 vide Crime No.269/2015. The prosecution evidence is also completed and the case is fixed for recording of accused statement. Thus, counsel submits that at this stage, no interference is warranted.

4. Having considered the submissions advanced on behalf of the petitioners, it is evident that in the present case, by way of filing the present petition, a First Information Report dated 15.07.2015 is being challenged. There

is no explanation in paragraph 4 of the petition as to why this petition has been filed after a delay of almost 8 years. The inordinate delay is unexplained. Moreover, when the prosecution witness is over and the trial is at the verge of completion, even otherwise this Court is not inclined to interfere with the FIR and ensued proceedings.

5. Accordingly, the present petition stands dismissed.

(MANINDER S. BHATTI)
JUDGE

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