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

+ CRL.REV.P. 165/2011

CBI

..... Petitioner

Through: Mr. P.K. Sharma, Standing Counsel,
Mr. Y.K. Saxena, Spl. P.P and Mr.
Uday Prakash, Advocate.

versus

KRISHNA KUMAR

..... Respondent

Through: Mr. Chetan Sharma, Sr. Advocate
with Mr. B.B. Sharma, Advocate for
the Respondent.
Mr. Sanjeev Kumar and Mr. S.K.
Santoshi, Advocates for the applicant.**CORAM:****HON'BLE MS. JUSTICE MUKTA GUPTA****ORDER**

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22.11.2011**Crl. M.A. No. 10635/2011 (impleadment)**

By this application the applicant, who is the co-accused of the Respondent Krishan Kumar who had sought permission to become the approver which was declined by the learned Metropolitan Magistrate seeks impleadment.

Learned counsel for the applicant after some arguments seeks leave to withdraw the application.

Application is dismissed as withdrawn.

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L. Learned Standing Counsel for the CBI and the Respondent Krishan Kumar point out that a revision petition against the order passed by the learned Metropolitan Magistrate not permitting Krishan Kumar to become an approver is already pending before the learned Additional Sessions Judge. In view of the fact that the revision filed by the Respondent against the impugned order is already pending before the learned Additional Sessions Judge, which is the Court of first instance, and since the pleadings in the revision petition filed by the Respondent are complete, the present revision petition filed by the CBI is also directed to be transferred before the learned Additional Sessions Judge to be heard along with the Revision Petition filed by Krishan Kumar.

Registry is directed to send the file of this petition to the learned Additional Sessions Judge expeditiously so that it is listed with the connected matter on the 9th December, 2011.


MUKTA GUPTA, J.

NOVEMBER 22, 2011
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