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

+ **TR.P.(CRL.) 37/2013 & CrI.M.A. 11138/2013**

PRAMOD AGGARWAL & ANR Petitioners
Through: Counsel (*appearance not given*)

versus

STATE & ANR Respondents
Through: Mr. Mukesh Gupta, learned
Additional Public Prosecutor for
respondent-State with SI Samrat
Khatiyani

CORAM:
HON'BLE MR. JUSTICE SUNIL GAUR

ORDER
29.07.2013

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Petitioners' prayer to get four complaints under various provisions of the *Factories Act* transferred to some other court stands declined vide impugned order of 27th May, 2013, which is assailed in this petition.

Learned counsel for petitioners submits that petitioners have been already convicted by trial court in FIR case for the offence under Section 285/304A of *IPC* on the strength of evidence of star witness (*PW-3*) and the same very witness is also a witness in the proceedings under the *Factories Act* in which petitioners are accused and the apprehension expressed is that since petitioners already stands convicted in the FIR case, so, trial court would convict them in these four complaints under the *Factories Act* as well.

To say the least, the apprehension expressed by learned counsel for petitioners' is misplaced. Needless to say that the four complaints under the *Factories Act* pending against petitioner would be decided by the trial court strictly on merits uninfluenced by the decision rendered in the criminal case.

With aforesaid observation, this petition and the application are dismissed.


(SUNIL GAUR)
Judge

JULY 29, 2013

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