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

Date of Order: September 02, 2015

+ **CRL.M.C. 264/2013 & CrI.M.A. 906/2013**

VINAY RAI

..... Petitioner

Through: Mr. Ramesh Gupta, Senior
Advocate, with Mr. Yogesh Kumar
Sharma and Mr. Shakeel Ahmed,
Advocates

versus

CBI

..... Respondent

Through: Ms. Sonia Mathur, Standing
Counsel for CBI

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER

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(ORAL)

Petitioner is aggrieved by trial court's order of 27th June, 2008 in RC No. SIG 2001 E 0006 vide which petitioner has been put on trial with his co-accused for the offences under Sections 420/471 of IPC r/w Section 120-B of IPC in the case titled *CBI v. Usha India Limited*. Revision against aforesaid order stands dismissed vide impugned order of 17th September, 2012.

A co-ordinate Bench of this Court while dealing with similar petition of co-accused-*Anil Rai* in CrI.Rev. P.604/2008 decided on 9th July, 2012 has made observations regarding the role of petitioner as well.

It is matter of record that the Special Leave Petition of co-accused-*Anil Rai* already stands dismissed by Apex Court vide order of 6th January, 2014 wherein it has been made clear that any observation made by the co-ordinate Bench of this Court will not stand in the way of trial court to independently proceed with the matter on the basis of material on record.

Learned senior counsel for petitioner submits that he does not press this petition on merits and rightly so, as on perusal of the impugned order, I find no palpable error in it. The observations made by a co-ordinate Bench of this Court in Crl.Rev. P.604/2008 in paragraphs No.4 & 5 will not stand in the way of petitioner before the trial court. Needless to say, trial court shall proceed with the case uninfluenced by any observations made in the order of 9th July, 2012 in Crl.Rev. P.604/2008.

With aforesaid observations, this petition and the application are disposed of.

(SUNIL GAUR)
JUDGE

SEPTEMBER 02, 2015

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