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

Judgment delivered on: 24th August, 2015

+ **CRL.M.C. No.3399/2015**

ARJUN CHOWDHRY

..... Petitioner

Represented by: Mr.Rattan Kr Singh, Mr.J. K.
Choudhary, Mr.Manish Kr
Choudhary, Mr.Udit
Chauhan, Mr. Raghav Alok,
and Ms.Swati Surabh, Advs
with petitioner in person.

versus

STATE NCT OF DELHI

..... Respondent

Represented by: Mr.Kamal Kumar Ghei, APP
for the State with SI Girish
Chandra, EOW in person.
Mr.G. Naryan & Mr.Vineet
Jhanji, Advs for complainant

CORAM:

HON'BLE MR. JUSTICE SURESH KAIT

SURESH KAIT, J. (Oral)

Crl.M.A.12103/2015 (for exemption)

Exemptions allowed, subject to all just exceptions.

Accordingly, the application is allowed.

CRL.M.C. No.3399/2015

1. Instant petition received on transfer.
2. Vide the present petition filed under Section 482 of the Code of Criminal Procedure, 1973, petitioner seeks quashing of the order dated 30.04.2015 passed by learned Additional Chief Metropolitan Magistrate,

Shahdara, Karkardooma Courts, Delhi in FIR No.229/2006 registered at Police Station Man Sarover Park, Delhi for the offences punishable under Sections 471/420/465/408/467/471/120-B of the IPC.

3. Further seeks direction for setting aside the order dated 11.08.2015 whereby the application filed by the Investigating Officer of the case under Section 70(2) of the Cr P C has been allowed and consequently, NBWs were issued against the petitioner.

4. It is not in dispute that there is another FIR bearing No.612/2007 registered against the petitioner at the police station Man Sarover Park, Delhi. The petitioner filed Criminal M.C.No.3381/2015 in latter FIR No.612/2007 and same was allowed by a reasoned order vide order dated 21.08.2015 by this Court. The aforesaid FIR is of the year 2007, however, instant petition pertains to the year earlier FIR of the year 2006. The facts of this case and the FIR No.612/2007 are more or less similar.

5. Keeping in view the order passed in Criminal M.C.No.3381/2015, as noted above, I hereby set aside the order dated 30.04.2015 and 11.08.2015 passed against the petitioner in this FIR No.229/2006.

6. As already directed vide order dated 21.08.2015 in Criminal M.C.No.3381/2015, the petitioner shall join the investigation in this case as well on 24.08.2015 at 04.00PM. The petitioner shall continue to join the same as and when called for by the Investigating Officer concerned.

7. In view of the above, the present petition is allowed.

8. A copy of this order be given *dasti* to the learned counsel for the parties under signature of the Court Master.

Crl.M.A.12102/2015 (for stay)

Dismissed as infructuous.

**SURESH KAIT
(JUDGE)**

AUGUST 24, 2015

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