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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 354/2016

VISHAL @ LALU

..... Petitioner

Through: Mr. Parmil Kumar, Advocate

versus

THE STATE OF GOVT OF NCT DELHI

..... Respondent

Through: Ms. Meenakshi Chauhan, Additional
Public Prosecutor for the State with
ASI Rajender Singh, Police Station
Geeta Colony, Delhi

CORAM:

HON'BLE MR. JUSTICE P.S.TEJI

ORDER

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12.05.2016

During the course of the hearing of the present petition under filed under Section 482 of Cr. P.C., it has been revealed that the petitioner has earlier also filed a petition under Section 482 of Cr. P.C. being Crl. M.C.No. 4635/2015, which came up before this court for hearing on 16th November 2015. On that day, after some arguments, the petitioner withdrew that petition and accordingly the same was ordered to be dismissed as withdrawn.

Perusal of the order sheet dated 16.11.2015 reveals that the aforesaid first petition under Section 482 of Cr. PC was ordered to be dismissed as withdrawn. However, it does not reflect as to whether any liberty was sought to file the fresh petition or not and the fact is

that the petitioner had earlier filed the petition for quashing of the FIR in question, which was dismissed as withdrawn.

The learned counsel for the petitioner submitted that after withdrawal of the earlier petition, much water has been flown and the case is now again at the stage of prosecution evidence.

In the facts and circumstances of the present case, this court does not find any justification to entertain this second petition under Section 482 Cr. PC. Accordingly, the present petition is dismissed.

However, it is made clear that the dismissal of the present petition would not come in the way of any judicial proceedings before the Trial Court and shall not prejudice the petitioner in any manner whatsoever.

With aforesaid observations, the present petition is disposed of.

P.S.TEJI, J

MAY 12, 2016
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