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

+ **CRL.REV.P. 111/2016 & Crl.M.A. No.2547/2016**

BHARATIYA SANSKRITI PARISHAD Petitioner
Through **Mr.Rakesh Pathak, Adv.**

versus

**MATHURA VRINDAVAN DEVELOPMENT
AUTHORITY & ANR** Respondent
Through

**CORAM:
HON'BLE MR. JUSTICE P.S.TEJI**

ORDER
% **12.02.2016**

Crl.M.A. No.2547/2016

Exemption allowed subject to just exceptions.

Crl.Rev.P. No. 111/2016

The present petition has been filed by the petitioner against the order dated 4th November, 2015 passed by the Additional Sessions Judge-04 & Special Judge (NDPS), South East, New Delhi, on the application under Section 319 of the Code of Criminal Procedure read with Section 53 of the Monopolies & Restrictive Trade Practices Act, vide which the application was dismissed.

I have heard learned counsel for the petitioner. In para 12 of

the order dated 4th November, 2015, the learned Additional Sessions Judge, has held that Section 319 of Cr.P.C. gives ample powers to the Court to summon any person as an accused if the Court finds sufficient incriminating evidence available against him on record. However, this power of the Court essentially has to be exercised either during the course of any inquiry or trial pending before it. In the present case, neither the inquiry nor the trial is pending. Therefore, the application was dismissed.

Perusal of the record reveals that in the present case, the complaint has been filed by the Director General, Investigation & Registration (DGIR), Competition Commission of India against the Mathura Vrindavan Development Authority. This Court is of the considered opinion that at this stage, the petitioner is not having locus standi to move such application as the petitioner is not a party to the proceedings. I do not find that the Court below has exceeded its jurisdiction.

Accordingly, the present revision petition is dismissed.

P.S.TEJI, J

FEBRUARY 12, 2016

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