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

+ CRL.M.C. 954/2016

D K GARG & ANR

..... Petitioner

Through Mr.Amit Kumar, Adv.

versus

CENTRAL BUREAU OF INVESTIGATION Respondent

Through Mr.Sanjeev Bhandari, SPP for CBI.

CORAM:

HON'BLE MR. JUSTICE P.S.TEJI

ORDER

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04.03.2016

Crl.M.A. 4023/2016 (Exemption)

Application is allowed subject to just exceptions.

Crl.M.C. 954/2016 & Crl.M.A. 4022/2016 (Stay)

The present petition has been filed for quashing the order dated 12.10.2015 passed by the learned Special Judge, CBI, Karkardooma Courts, Delhi.

On the query of the Court asking for not challenging the order dated 12.10.2015 till the date, it has been submitted by the counsel for the petitioner that the petitioner did not prefer to challenge the order as one matter pertaining to Mr.R.K. Kapoor was already pending

before this Court.

In para 13 of the petition, it has been specifically submitted that Mr.R.K. Kapoor expired on 25.01.2016, therefore, the proceedings in the petition of late Mr.R.K. Kapoor could not be continued and that is the reason for filing the present quashing petition.

On the arguments and explanation submitted by the counsel for the petitioner, it is apparent that the petitioner did not prefer to challenge the order passed by the Court below despite having the opportunity. The petition of late Mr.R.K. Kapoor does not give any cause to challenge the order at this stage. This Court is of the considered opinion that the petitioner is not entitled for any concession under Section 482 Cr.P.C. to intervene in the order passed by the Court below which the petitioner did not prefer to challenge till the date.

Consequently, the present petition as well as application Crl.M.A. 4022/2016 are dismissed.

P.S.TEJI, J

MARCH 04, 2016
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