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

+ CRL.M.C. 1318/2016

NIRMALA

..... Petitioner

Through: Mr.Jawahar Raja, Adv.

versus

STATE OF NCT OF DELHI & ORS

..... Respondent

Through: Mr.Panna Lal Sharma, APP.

CORAM:

HON'BLE MR. JUSTICE P.S.TEJI

O R D E R

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19.04.2016

Crl.M.A.Nos.5621-5624/2016 (Exemption)

Allowed subject to just exceptions.

The applications stand disposed of.

Crl.M.C.No.1318/2016 and Crl.M.A.No.5625/2016 (Stay)

The present petition has been filed under Section 482 Cr.P.C. seeking setting aside of the order 09.03.2016 passed by the learned ASJ upholding the order dated 28.09.2015 of the learned MM in FIR No.102/2003 rejecting petitioner's application under Section 319 and for directions to the learned MM to summon and proceed against respondent Nos.3 to 7.

Today, on enquiry from the learned counsel for the petitioner, it

has been informed that the matter is fixed for judgment/clarification before the Trial Court on 27.04.2016. Earlier to this, it was fixed before the Trial Court for final arguments and filing the written submissions on 05.04.2016. The present petition came up for hearing on 04.04.2016, but, at the request of the learned counsel for the petitioner, renotified for today.

In the given facts and circumstances of the case, I am of the considered opinion that the inherent powers vested in this court under Section 482 Cr.P.C. can be evoked to prevent the abuse of process of law and to secure the ends of justice.

Undisputedly, the Trial Court has already concluded the final arguments and thus the present petition cannot be used as a tool to stall the passing of final judgment by the Trial Court. Rather, it would be against the principles of natural justice to stop passing of final judgment against the petitioner who has suffered the trial.

In the given circumstances, I do not see any justification to invoke the jurisdiction under Section 482 Cr.P.C.

Dismissed.

P.S.TEJI, J

APRIL 19, 2016/dm