

\$~64

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

+ CRL.M.C. 1943/2016

M/S VIRESH BUILDCON PVT. LTD. & ANR Petitioner

Through Mr.Rajiv Khosla & Ms.Harleen
Singh, Advs.

versus

NEUTRAL ACCESS OPERATORS PVT. LTD. Respondent
Through

CORAM:

HON'BLE MR. JUSTICE P.S.TEJI

ORDER

% **18.05.2016**

Crl.M.A. 8238/2016 (Exemption)

Application is allowed subject to just exceptions.

Crl.M.C. 1943/2016 & Crl.M.A. 8237/2016 (Stay)

Counsel for the petitioners has moved the present petition with the prayer to quash the proceedings in C.C. No.239/2015 titled as 'Hari Shankar Singh v. M/s Viresh Buildcon Pvt. Ltd. & Ors.' pending before the Court of learned Metropolitan Magistrate (Municipal), Dwarka Courts, New Delhi.

Arguments advanced by Mr.Rajiv Khosla, learned counsel for the petitioners are that one FIR bearing case Crime No.318/2016 dated 26.03.2016, under Sections 420/406/506 IPC, Police Station Phase-III Noida regarding the same dispute is pending and under Section 210 of Cr.P.C., the complaint is to merge with the FIR.

After advancing the part arguments, counsel for the petitioners wish to withdraw the present petition with the liberty to approach the Hon'ble Supreme Court as the pendency of the complaint and FIR is in different States.

Consequently, the present petition and application are dismissed as withdrawn.

Dasti under the signature of the Court Master.

P.S.TEJI, J

MAY 18, 2016
dd