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

+ **CRL.M.C. 3495/2016**

**DALBIR**

..... Petitioner

Represented by: Mr. Subhashish Mohanty and  
Mr. Arvind Kumar, Advocates.

versus

**STATE OF NCT OF DELHI & ANR.**

..... Respondents

Represented by: Ms. Meenakshi Chauhan, APP  
for the State with SI Ajay  
Kumar, DCP Office, South  
West.  
Mr. Mukesh Gupta, Standing  
Counsel for North  
MCD/respondent No.2.

**CORAM:**

**HON'BLE MS. JUSTICE MUKTA GUPTA**

**ORDER**

**21.09.2016**

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**Crl. M.A. No. 14749/2016 (Exemption)**

Allowed, subject to all just exceptions.

**CRL.M.C. 3495/2016**

By the present petition the petitioner seeks quashing of FIR No. 295/2010 under Sections 147/148/149/186/353/332/506/427 IPC and Sections 3 and 4 of the Delhi Prevention of Defacement of Property Act, 2007 registered on 20<sup>th</sup> June, 2010 and the proceedings pursuant thereto on the ground that the same is barred by Section 468 Cr.P.C. as the limitation provided for taking cognizance is only three years.

Learned counsel for the petitioner admits that till date no cognizance

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of the offences has been taken by the learned Trial Court. Thus the petition is premature.

After some arguments, learned counsel for the petitioner seeks leave to withdraw the present petition with liberty to file a fresh petition in case the cause of action arises and cognizance is taken by the Court on a charge sheet belatedly.

Leave and liberty granted.

Petition is dismissed as withdrawn.

**MUKTA GUPTA, J.**

**SEPTEMBER 21, 2016**  
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