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

+ CRL.M.C. 4095/2015

MOHD NAUSHAD ALAM

..... Petitioner

Through: Mr.Durgesh Pal and Ms.Archana
Singh, Advs.

versus

STATE (GOVT, NCT OF DELHI)

..... Respondent

Through: Ms.Manjeet Arya, APP.

CORAM:

HON'BLE MR. JUSTICE P.S.TEJI

ORDER

% 29.03.2016

Crl.M.A.No.14584/2015

This is an application seeking condonation of delay of 26 days
in refiling the instant petition.

For the reasons stated in the application, the delay is condoned
and the application is allowed.

Crl.M.C.No.4095/2015 & Crl.M.A.No.14582/2015 (Stay)

The present petition has been filed seeking quashing of the
order dated 22.12.2014 passed by the Revisionist Court whereby the
court set aside the discharge order passed by the Trial Court with
respect to petitioner/accused while upholding the same qua the

remaining accused.

While setting aside the order of the Trial Court dated 02.05.2013, the Revisionist Court observed that as far as the petitioner/accused Mohd.Naushad Alam is concerned, there is sufficient material to frame notice against him without getting influenced by the contents of the order.

It has been submitted by the learned counsel for the petitioner that the petitioner would be satisfied if the learned Trial Court decides the question of framing of notice after hearing the petitioner without looking into the observations made by the learned Revisionist Court.

Consequently, this court is of the opinion that the learned Trial Court shall hear the petitioner uninfluenced by the order passed by the Revisionist Court on the question of framing of charge.

Ordered accordingly.

The petition accordingly stands disposed of.

P.S.TEJI, J

MARCH 29, 2016/dm