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

+ W.P.(C) 4550/2016 & CM No.19003/2016

ANIL SHARMA

..... Petitioner

Through : Mr. Siddharth Luthra, Sr.
Adv.with Mr. Gautam
Khazanchi and Mr. Udit
Arora, Advs.

versus

UNION OF INDIA & ANR.

..... Respondents

Through : Mr. Ruchir Mishra, Adv. for
R/UOI
Mr. Gautam Narayan, ASC
for GNCTD with Mr. R.A.
Iyer and Ms. Mahamaya
Chatterjee, Advs.
Ms. Rebecca M. John, Sr.
Adv. (Amicus Curiae) with
Mr. Harsh Bora, Ms.
Rudrani Tyagi and
Mr. Nikhil Ahuja, Advs.

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MR. JUSTICE C.HARI SHANKAR

ORDER

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01.08.2017

1. It is submitted by Mr. Siddharth Luthra, learned Senior Counsel for the petitioner that the challenge laid by the petitioner to the explanation to Sub-Section(1) of Section 197 of the Code of Criminal Procedure, 1973, has been rendered academic for the

reason that the petitioner's challenge to the initiation of proceedings against him by way of an application under Section 156(3) of the CrPC, has been rendered infructuous.

2. It appears that a complaint case was filed by a private complainant against the petitioner. By an order dated 10th July, 2015, the trial court passed an order under Section 156(3) of the CrPC directing registration of an FIR against the petitioner. The petitioner challenged the trial court order by way of Crl.M.C. 2749/2015. Now, the complainant before the trial court has withdrawn the complaint itself rendering the challenge by the petitioner infructuous. The Crl.M.C. 2749/2015 was therefore on 6th September, 2016, disposed of as withdrawn.

In view of the above, the criminal proceedings against the petitioner stand withdrawn.

It is, therefore, unnecessary to deal with the petitioner's challenge to the explanation to Section 197(1) of the CrPC in the present matter.

This writ petition is, therefore, disposed of as having been rendered infructuous.

ACTING CHIEF JUSTICE

C.HARI SHANKAR, J

AUGUST 01, 2017/kr