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

+ CRL.M.C. 2655/2016 & CRL.M.A. 11363/2016

KANARATH PAYATTIYAH

..... Petitioner

Through Mr. Siddharth Luthra, Sr. Advocate
with Mr. Aditya Vikram Bhat and Mr.
Arjun Rao, Advs.

versus

ASHOK ARORA

..... Respondent

Through :Mr. Somesh Arora and Mr. Aditya
Singh, Advs.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

% **03.08.2017**

Learned Senior Counsel submits that in the same facts, in a Bench of coordinate jurisdiction, in a batch of petitions, lead case being Crl. M.C. No. 3303/2016 titled Kanarath Payattiyath Balraj vs. Raja Arora, has quashed the summoning order passed against the petitioner in the complaint cases mentioned therein, vide judgment dated 23rd February, 2017 in the similar facts, therefore, summoning order in this case be set aside and quashed.

Operative portion of the aforesaid judgment reads as under:-

“16. In view of the legal position noted above, the petitions are allowed. The impugned orders to the

extent issuing summons to the petitioner in the Complaint Cases No. 6/1/16, 18/1/16, 33/1/16, 20/1/16, 28/1/16, 19/1/16, 29/1/16, 31/1/16, 21/1/16, 12/1/16, 11/1/16, 14/1/16, 8/1/16, 32/1/16, 13/1/16, 10/1/16, 15/1/16, 36/1/16, 9/1/16, 17/1/16, 16/1/16, 35/1/16, 7/1/16, 23/1/16, 24/1/16, 22/1/16 and 27/1/16 are quashed.

17. Petitions and applications are disposed of.”

Learned counsel for the respondent no. 2 admits that present case is totally covered by the aforesaid judgment. The facts as well as the legal pleas raised in this petition are more or less the same.

Accordingly, summoning order in Complaint Case no. 26/1/16 qua the petitioner is quashed.

Petition is disposed of in the above terms. Miscellaneous application is disposed of as infructuous.

A.K. PATHAK, J.

AUGUST 03, 2017
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