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

DECIDED ON : 12TH MAY, 2017

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CRL.M.C. 1928/2017

VIPIN AGGARWAL

..... Petitioner

Through : Mr.Vijay Hansaria, Sr.Advocate with
Mr.A.Shukla & Mr.Vivek Jain,
Advocates.

versus

CENTRAL BUREAU OF INVESTIGATION

..... Respondent

Through : Mr.Anupam S.Sharma, SPP.

CORAM:

HON'BLE MR. JUSTICE S.P.GARG

S.P.GARG, J. (Oral)

CRL.M.A.No.7914/2017 (Exemption)

Exemption allowed subject to all just exceptions.

The application stands disposed of.

CRL.M.C. 1928/2017 & CRL.M.A.No.7915/2017 (Stay)

1. Present petition under Section 482 Cr.P.C. has been filed by the petitioner to challenge the legality and correctness of an order dated 18.02.2017 of Ld.ACMM, whereby application filed under Section 294 Cr.P.C. seeking admission and denial of certain documents was dismissed. This order was challenged by the petitioner in C.R.No.55/2017, which resulted in its dismissal by an order dated 20.04.2017.

2. I have heard the learned Senior Counsel for the petitioner and have examined the file. Admittedly, the present application has been filed belatedly at a stage when the case is fixed for final disposal. Entire evidence of the prosecution has already been recorded. No such documents were proved by the petitioner despite availing various opportunities during trial. The prosecution is not under legal obligation to admit or deny as they are not the author of these documents. Relevant prosecution witnesses have already been examined as reflected in the impugned order. No such documents were put to them in the cross-examination.

3. Concurrent findings of the courts below based upon fair reasoning deserve no intervention. The petition lacks in merits and is dismissed in limine. Pending application also stands disposed of.

4. Copy of the order be sent to the Court concerned for information.

(S.P.GARG)
JUDGE

MAY 12, 2017 / tr