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

+ **W.P.(CRL) 2720/2017**

SAMEER SHARMA

..... Petitioner

Represented by: Ms. Megha Bahl, Amicus
Curiae.

versus

STATE OF NCT OF DELHI & ORS

..... Respondents

Represented by: Ms. Kamna Vohra, Additional
Standing Counsel for the State
with SI Anjani Kumar Singh,
PS Vasant Kunj, South.
Mr. Alok Singh, Mr. Himanshu
Ahuja and Ms. Juhi Ahuja,
Advocates respondent Nos. 2 to
4.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

18.12.2017

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1. By this petition the petitioner had sought expeditious disposal of the complaint case No.686/2016 pending before the learned Metropolitan Magistrate wrongly mentioned as Additional Sessions Judge, Patiala House within three months.
2. As per the reply filed on 16th July 2016 application of the accused seeking discharge was dismissed and the matter was adjourned to 11th August, 2016.
3. Challenging the order framing notice the accused preferred a revision petition wherein the file of the learned Trial Court was requisitioned.

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However, the revision petition was finally dismissed and the accused moved an application under Section 145 (2) of the Negotiable Instruments Act on 1st March, 2017 whereafter the complainant was partially cross-examined.

4. On 13th September, 2017 again the complainant's evidence was recorded however, on 3rd October, 2017 the complainant/petitioner was not available.

5. It is informed that even on 16th November, 2017 the complainant/petitioner was not available.

6. Considering the fact that the learned Trial Court is proceeding with the matter and the delay, if any, is also due to the non-availability of the complainant/petitioner, this Court does not think it fit to pass any order directing the disposal of the complaint case within three months. However, it is hoped and expected that the learned Trial Court would conclude the trial as soon as possible.

7. Petition is disposed of.

MUKTA GUPTA, J.

DECEMBER 18, 2017
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