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

+ W.P.(CRL) 3270/2017 & CRL.M.A. 19196/2017

GOVIND NARAIN JOHRI

..... Petitioner

Through: Mr. A.K. Singla, Sr. Advocate with
Mr. Rahul Shukla, Advocate.

versus

STATE & ANR

..... Respondents

Through: Mr. Avi Singh, ASC for State with SI
Pravin Kumar, DIU/SED.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

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21.11.2017

CRL.M.A. 19197/2017

Allowed, subject to all just exceptions.

The application stands disposed off.

W.P.(CRL) 3270/2017

The petitioner seeks the following relief:

“It is, respectfully prayed that this Hon’ble Court be pleased to quash the FIR No. 278/2011, Police Station - New Friends Colony, New Delhi U/s 406/420/465/467/471 IPC and all other criminal proceedings emanating thereon and petitioner also prays for grant of such further reliefs considered just fit, proper and expedient in the circumstances of the case.

He submits that there is no element of criminality in this case as it concerns a commercial transaction and for the breach of which even the civil dispute would not lie, therefore, the FIR could not have been registered and

proceedings emanating therefrom are bad in law.

Mr. Avi Singh, the learned Additional Standing Counsel (Crl.) appears on service of advance copy of the petition and submits that arguments for framing of charge have been heard and the case is listed for 27.11.2017. It is not in dispute that the arguments sought to be raised in this petition could be addressed before the Trial Court concerned.

The petitioner is at liberty to address arguments, as he may deem appropriate, before the Trial Court.

In the circumstances, the petitioner seeks to withdraw the petition. Accordingly, the petition is dismissed as withdrawn.

NAJMI WAZIRI, J

NOVEMBER 21, 2017

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