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

+ CRL.REV.P. 268/2012

CENTRAL BUREAU OF INVESTIGATION Petitioner

Through : Mr.Sanjeev Bhandari, SPP with Mr.Prateek
Kumar, Advocate.

versus

KIZHUVARA VENUGOPALAN Respondent

Through : Mr.Suraj Prakash, Advocate with Ms.Shivani Kant
& Ms.Bhavya Chauhan, Advocates.

CORAM:

HON'BLE MR. JUSTICE S.P.GARG

ORDER

% **19.03.2018**

1. Present revision petition has been filed by the CBI against an order dated 13.02.2012 whereby the respondent was discharged of the commission of the offence. It is contested by the respondent.
2. During the course of arguments, learned counsel for the respondent informed that by a judgment dated 06.01.2018, the Trial Court has acquitted the contesting accused persons i.e. A.K.Jajodia (A-2) and Dr.N.W.Nerurkar (A4). Other accused persons K.K.Jajodia (A1) and R.S.Deol (A5) have since expired and the proceedings against them have 'abated'.
3. Since the trial has come to an end qua the contesting accused persons by an order dated 06.01.2018 and the contesting accused

persons have since been acquitted, the present petition filed by the CBI against the discharge order has become infructuous and is disposed of as such.

4. The petitioner is, however, given liberty to raise all these issues before the higher Court against the respondent in case CBI intends to challenge the acquittal order dated 06.01.2018.

5. It is further made clear that if the CBI succeeds in appeal against acquittal recorded vide a judgment dated 06.01.2018, it will be at liberty to seek revival of the present revision petition.

S.P.GARG, J.

MARCH 19, 2018 / tr