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

+ **CRL.M.C. 1467/2016 & CrI.M.A. 6291/2016**

SANJAY DHINGRA

..... Petitioner

Through: Ms. Namita Jose, Adv.

versus

LT. COLONEL PREM PARKASH REWARI Respondent

Through: Mr. Vimal Duggal, Adv.

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

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16.07.2018

The petitioner is facing proceedings in criminal complaint case (CC 514/1/14) at the instance of the petitioner on the accusations of offence under Section 138 of Negotiable Instruments Act, 1881.

The petition at hand seeks quashing of the proceedings arising out of the said case, particularly the order dated 16.11.2015 whereby the notice under Section 251 Cr.P.C. was served on the petitioner, putting him on trial. The matter has been kept pending since April, 2016. When the matter was taken up in the morning, the proxy counsel for the petitioner sought pass over on the ground main counsel was pre-occupied elsewhere. The matter was kept pending. When it is taken up again, the proxy counsel seeks adjournment on the ground main counsel is not available.

The counsel for the respondent points out that the trial in the meanwhile has reached the advanced stage of the evidence of the defence,

the complainant having already led evidence, the statement of the accused having been recorded.

In these circumstances, this Court is not inclined to entertain this petition in exercise of inherent power under Section 482 Cr.P.C. reserving all the contentions of the petitioner which may be agitated before the trial Judge.

The petition and the pending application stand disposed of.

R.K.GAUBA, J

JULY 16, 2018

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