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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 4107/2018 & CRL.M.A. 29992-29993/2018**

HIRDYA SHANKER Petitioner
Through: Mr. Azizul Hasan, Advocate.

versus

STATE & ORS Respondents
Through: Ms. Meenakshi Dahiya, APP with SI
Malkhan Singh, P.S. Sarita Vihar.

CORAM:
HON'BLE MR. JUSTICE R.K.GAUBA

ORDER
% **14.08.2018**

Instead of diligently and vigilantly prosecuting his criminal complaint pending with an application under Section 156(3) of Code of Criminal Procedure, 1973 (Cr.P.C.) before the Metropolitan Magistrate, the petitioner has rushed to this Court with the present petition for no plausible reasons. The copy of the proceedings recorded on 30.11.2017, 06.01.2018 and 18.05.2018 by the court of Metropolitan Magistrate themselves would show adjournments were taken, or granted, for reasons attributable to the petitioner or his counsel. Against the said backdrop, a grievance cannot be raised here, not the least presently, that his complaint with afore-mentioned application is suffering from neglect.

At this stage, the counsel for the petitioner submitted that he may be permitted to withdraw the present petition and given liberty to move an application before the Metropolitan Magistrate for early hearing.

The petition and the applications filed therewith are dismissed as withdrawn with liberty, as prayed for, granted.

R.K.GAUBA, J

AUGUST 14, 2018

srb

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