

\$~19

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

+ CRL.M.C. 1638/2017

K C AHUJA

..... Petitioner

Through

Mr. Yeeshu Jain, Ms. Jyoti Tyagi and
Mr. Devansh Bhatnagar, Advocates

versus

SEBI

..... Respondent

Through

Mr. Ashish Aggarwal, Advocate with
Mr. Deepak Wadhwa, Officer from
SEBI

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

%

03.04.2018

Crl.M.A.No. 6649/2017

The petitioner has assailed the order dated 17th September, 2016 passed by the Trial Court whereby Revision Petition filed by the petitioner has been dismissed in default.

By placing reliance on *Madan Lal Kapoor vs. Rajiv Thapar and Others (2007) 7 SCC 623*, it is contended that a Criminal Revision Petition cannot be dismissed in default. The Supreme Court has held in the judgment that a criminal matter cannot be dismissed for default and must be decided on merits.

Accordingly, the impugned order is set aside and revision is restored to its original number. The Revisional Court shall proceed with the revision in accordance with law. Petition is disposed of in the above terms.

Parties shall appear before the Revisional court on 8th May,

2018.

The Miscellaneous Application is disposed of .

A.K. PATHAK, J

APRIL 03, 2018

mw