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

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Judgment delivered on: 05.10.2018

+ CRL.M.C. 4704/2018

RAKESH JAIN

..... Petitioner

versus

V.P. YADAV & ANR

..... Respondents

Advocates who appeared in this case:

For the Petitioner : Mr.Sumit Kr. Khatri, Advocate.

For the Respondents : Ms.Neelam Sharma, APP for State
with SI Sunil Kumar, PS Begum Pur.
Mr.Pawan Kumar, Adv.for R-2 with respondent No.2 in
person.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

05.10.2018

SANJEEV SACHDEVA, J. (ORAL)

Crl. M.A. 32145/2018 (Exemption)

Allowed, subject to all just exceptions.

CRL. M.A. 32155/2018 (condonation of delay)

For the reasons stated in the application, the delay in re-filing the petition is condoned. The application stands allowed.

CRL.M.C. 4704/2018

1. Petitioner impugns order dated 24th July, 2018 whereby the Revisional Court has rejected the revision petition of the petitioner

impugning order dated 18th May, 2018 of the trial court dismissing the application of the petitioner under Section 156 (3) CrPC on the ground that in the facts of the case allegations could be proved by the petitioner by leading evidence himself and there was no necessity to conduct field investigation to prove the allegations.

2. The allegation of the petitioner is that petitioner is a tenant in a portion of the property. Respondent No. 2 in the connivance with the respondent no.1 (landlord of the premises) has raised a wall in the staircase leading to the premises of the petitioner thereby preventing his access to be tenanted premises.

3. After some arguments, learned counsel for the petitioners prays that in case directions are issued to the trial court for expeditious disposal he shall not press the present petition.

4. In view of the above, and keeping in view the facts and circumstances of the case, trial Court is directed to expedite the disposal of the complaint filed by the petitioner. The matter is directed to be listed before the Trial Court, for directions for fixing an expeditious schedule for disposal on 25th October, 2018.

5. Petition is disposed of in the above directions.

6. Order *dasti* under signatures of the Court Master.

OCTOBER 05, 2018
‘pallavi’

SANJEEV SACHDEVA, J