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

+ CRL.M.C. 3086/2015 & CRL.M.A. 1655/2020, CRL.M.A. 1653-1654/2020

VIJAY AHUJA

..... Petitioner

Through

versus

STATE OF NCT OF DELHI & ANR

..... Respondents

Through: Mr. Sanjeev Sabharwal, APP for State

Mr. Siddharth Batra, Adv. for applicant.

CORAM:

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

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24.01.2020

CRL.M.A. 1654/2020 (Exemption)

Exemption allowed, subject to just exceptions.

CRL.M.A. 1655/2020

This is the application filed on behalf of the respondent no.2 seeking condonation of delay in re-filing the application after removal of objections. The application is allowed and the delay in re-filing the application is condoned.

The application is disposed of.

CRL.M.C. 3086/2015, CRL.M.A. 1653/2020

The matter has however been taken up in view of the presence of the learned counsel for the respondent no.2 to CRL.M.C. 3086/2015 in view of an application CRL.M.A. 1653/2020 seeking restoration of proceedings in

relation to CRL.M.C. 3086/2015 submitting to the effect that though vide order dated 23.07.2018 of this Court, CRL.M.C. 3084/2015 and CRL.M.C. 3086/2015 had been allowed vide order dated 11.09.2019 of the Hon'ble Supreme Court in Crl.A.1382-1383/2019, the said order was set aside with the parties having been relegated to this Court for examining the grounds made in the petition on their own merits and in accordance with law inclusive of the contention that was raised by the petitioner of the said petition to the effect that the proceedings must continue at Court at Ahmedabad.

In the circumstances, notice of the application filed on behalf of the respondent no.2 be issued to the petitioner on taking of steps by the respondent no.2, process returnable on 26.03.2020 in as much as in terms of the order of the Hon'ble Supreme Court, the said petitions stand revived.

ANU MALHOTRA, J

JANUARY 24, 2020/vm

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IN THE HIGH COURT OF DELHI AT NEW DELHI

CRL.M.C. 5906/2019 & CRL.M.A. 1664/2020

SHIKHAR GOEL & ORS

..... Petitioners

Through: Ms. Roma Bhagat, Adv.

versus

STATE OF DELHI & ANR

..... Respondents

Through: Mr. Sanjeev Sabharwal, APP for
State

CORAM:

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

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24.01.2020

Vide order dated 02.12.2019, notice of the petition is indicated to have been directed to be issued to the respondent no.2 on taking of steps by the petitioners with the process being returnable on 13.02.2020 with copy of the TCR in the e-form having been directed to be requisitioned and supplied to the State. It has *inter alia* been observed vide the said order that the parties vide the present petition seeks quashing of the FIR No.649/2016, PS Vasant Kunj, under Sections 498A/406/34 of the Indian Penal Code, 1860 submitting to the effect that a settlement has been arrived at between the parties with the status report having been directed to be submitted.

The matter is fixed for 13.02.2020 and taken up on CRL.M.A. 1664/2020 filed on behalf of the petitioners submitting to the effect that there has been apparent typographical error in the proceedings dated 02.12.2019 observing that a settlement has been arrived at between the parties whereas in as much as the petitioners are seeking

setting aside of the charges and the proceedings in relation to FIR No.649/2016, PS Vasant Kunj, under Sections 498A/406/34 of the Indian Penal Code, 1860 on the basis of merits, which is borne out to be correct on a bare perusal of the petition.

The proceedings dated 02.12.2019 apparently have to be rectified under Section 362 of the Cr.PC, 1973 and are thus rectified accordingly. The observations in the order dated 02.12.2019 to the effect that there has been a settlement between the parties is directed to be deleted from the record.

Notice of the petition in terms of order dated 02.12.2019 is issued to the respondent no.2 on taking of steps by the petitioners for the date already fixed.

CRL.M.A. 1664/2020 is disposed of.

ANU MALHOTRA, J

JANUARY 24, 2020

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