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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.REV.P. 807/2018 & CrI. M.A. 32314/2018
STATE (GOVT. OF NCT OF DELHI) Petitioner
Through: Ms. Aasha Tiwari, APP for State
SI Dinesh Kumar, P.S. Welcome

versus

SALEEM Respondent
Through: None

CORAM:
HON'BLE MR. JUSTICE A.K. PATHAK

ORDER
% **18.09.2018**

Keeping in view the report dated 19.02.2018 of Institute of Human Behaviour and Allied Sciences (IHBAS) proceedings have been stayed sine die by the Trial Court under Section 328 Cr. P.C. vide Impugned Order dated 21.07.2018, Report of IHBAS is that the respondent (accused) was suffering from mild mental retardation (IQ 57) and does not understand the nature of proceedings held against him and is incapable of defending himself. Investigating Officer has been directed to evaluate the respondent after two years and if he finds that the respondent is capable of understanding the nature of proceedings, liberty has been granted to revive the case. I have perused the report of the Medical Board of IHBAS.

I do not find any material illegality or irregularity in the impugned order.

The petition is dismissed.

A.K. PATHAK, J

SEPTEMBER 18, 2018/sr