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

+ CRL.M.C. 5060/2018 & CrI.M.A. 33480-81/2018

SHRI RITESH TEWARI & ANR. Petitioners

Through: Mr. K. Sunil, Mr. Parth Chaturvedi &
Ms. Akshita, Advs.

versus

STATE & ORS. Respondents

Through: Mr. K.S. Ahuja, APP for the State
with SI R.S. Pandit, PS Preet Vihar.
Mr. Ravi Sharma, Adv. for R-2.
Mr. Shah Usman, Adv. for R-3 & 4.

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

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03.12.2018

The second respondent, who is the complainant of the criminal complaint case (CC no. 893/2013) from which the present proceedings arise, enters appearance through Mr. Ravi Sharma, Advocate. After some hearing, the learned counsel submits, having taken instructions from the second respondent (complainant) that the petition under Section 482 Cr.P.C. may be allowed remitting the matter arising out of the criminal revision no. 113/2018 to the court of Sessions wherein the said revision petition challenging the summoning order dated 26.07.2016 was thrown out by order dated 23.07.2018 on the question of limitation, his request being that the delay in filing of the revision petition may be condoned in favour of the petitioner and the revision petition may be decided by the said revisional court on merits.

The learned counsel for the petitioners agrees to this suggestion submitting that he would reserve his right and press his contentions qua the merits of the summoning order before the revisional court.

The petition is, thus, allowed, the afore-mentioned criminal revision petition shall be taken up by the concerned court of Sessions on 22nd December, 2018 when the parties may appear and assist the said court in the matter on its merits.

The petition and the applications filed therewith are disposed of.

R.K.GAUBA, J

DECEMBER 03, 2018

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