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

+ CRL.M.C. 5476/2018 and Crl. M.A. 35139-35140/2018

SHRI N. RAVINDRAN Petitioner
Through: Mr. K. Krishna Kumar, Advocate

versus

COMPETITION COMMISSION OF INDIA Respondent
Through: Mr. P.C. Sen, Sr. Advocate with Mr.
Avinash Sharma, Advocate

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

% **29.10.2018**

On criminal complaint of the respondent alleging offences punishable under Section 42(3) of the Competition Act, 2002, the Chief Metropolitan Magistrate, New Delhi had taken cognizance and issued process requiring the presence of the petitioner as an accused. The order the non-compliance of which was alleged to be the cause of action for criminal complaint for the said offence being initiated is stated to have been set aside by National Company Law Appellate Tribunal (NCLAT) by its order dated 20.08.2018. It is on that ground that the present petition has been filed seeking quashing of the criminal process under Section 482 of the Code of Criminal Procedure, 1973.

The learned counsel for the respondent, however, points out that a review application is pending before NCLAT against the order

which is the basis of the prayer for quashing.

After some haring, it was agreed by both sides that the proceedings before the Chief Metropolitan Magistrate on the aforementioned complaint (case no.11152/2018) be adjourned *sine die* till decision is taken by NCLAT on the pending application for review or till the order in question has attained finality, the respondent having exhausted all remedies available to it under the law. Ordered accordingly. To bring clarity, it is hereby directed that while the proceedings in the aforementioned criminal complaint are being adjourned *sine die*, liberty is given to both parties to move the concerned court for revival of the proceedings and for effective orders to be passed in light of the final decision that is rendered on the matter presently pending before the NCLAT on the review application. The prayer for revival and for further orders to be passed shall be considered by the concerned Chief Metropolitan Magistrate in accordance with law.

At this stage, the learned counsel for the petitioner submitted that he does not press for any further direction in the matter.

The petition and the applications filed therewith are disposed of as above.

R.K.GAUBA, J

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