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

+ **CRL.M.C. 3505/2015 & CRL.M.A. 12516/2015**

NANDKISHORE TRIVEDI

..... Petitioner

Through: Mr. Sunil Sharma, Mr. Santosh
Chaurihaa, Mr. M.A. Khan & Ms.
Asmita Duggal, Advs.

versus

THE STATE OF (NCT) DELHI & ORS.

..... Respondents

Through: Mr. Ashish Dutta, APP for the State.
Mr. Ankit Jain, Adv. for R-2.

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER
30.08.2018

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After some hearing, the learned counsel for the petitioner, on instructions, submits that he may be allowed to withdraw the present petition seeking liberty to raise all the contentions at the time of consideration of charge before the trial court.

It is a matter of concern that in a case arising out of FIR No. 242/2002 in which charge-sheet is stated to have been filed in 2003, the question of charge has been considered only qua one accused (Subodh Bhandari) and not against the rest, which include the petitioner, till date. The question of charge is to be considered at the threshold. Elapse of fifteen years in taking up the said issue for consideration and decision cannot be approved of.

While the petition at hand is dismissed as withdrawn with liberty given to the petitioner to raise the contentions set out in the petition herein at the time of consideration of charge, the trial court is directed to proceed with the matter expeditiously and take decision on said issue, preferably within three months of the date next fixed before it.

Dasti under the signatures of Court Master.

R.K.GAUBA, J

AUGUST 30, 2018

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