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

Date of decision: 06 November, 2019

+ LPA 705/2019 and CM Nos. 48211, 48212, 48213/2019

NISHAT AHMAD KHAN

..... Appellant

Through: Mr. Shahid Azad, Mr. Md. Aslam,
Mr. Ahmad Parvez and Mr. Kamal Kumar,
Advs.

versus

STATE & ANR

..... Respondents

Through: None

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE C.HARI SHANKAR

ORDER

06.11.2019

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D.N. PATEL, CHIEF JUSTICE (ORAL)

CM Nos. 48212/2019 and 48213/2019(exemptions)

1. Exemption allowed, subject to all just exceptions.
2. The applications are disposed of.

LPA 705/2019

1. This Letters Patent Appeal has been preferred by the original petitioner whose W.P.(Crl.) 2197/2018 was dismissed by the learned Single Judge of this court *vide* order dated 15th October, 2019.

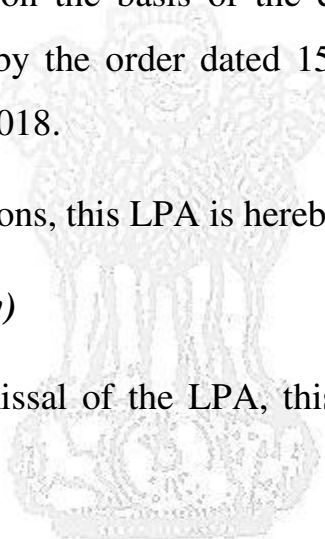
2. Counsel appearing for the appellant (original petitioner) submits that the question of law which is raised before the learned Single Judge may be kept open whenever the case of this appellant is being decided by the Trial Court. In pursuance of the FIR bearing no. 0195/2018 police station Jamia Nagar, charge sheet has already been filed in the Trial Court and the matter is going on against this appellant.

3. In view of aforesaid submissions, this appeal is hereby disposed of with an observation that as and when the Trial Court decides the case against this appellant (original petitioner), the same will be decided in accordance with law and on the basis of the evidences on record and without being influenced by the order dated 15th October, 2019 of this Court in W.P.(Crl.) 2197/2018.

4. With these observations, this LPA is hereby dismissed.

CM Nos. 48211/2019 (stay)

1. In view of the dismissal of the LPA, this application also stands disposed of.


न्यायमेव जयते **CHIEF JUSTICE**

C.HARI SHANKAR, J.

NOVEMBER 06, 2019/kr