

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

Date of Order: January 09, 2019

+ **CRL.M.C. 52/2019 & CrI.M.A. 272/2019**

FABIEN CORBINEAU Petitioner

Through: Mr. H.S. Bhullar, Mr. Bhawani
Gupta and Ms. Monalisha
Chowdhury, Advocates

versus

STATE Respondent

Through: Mr. Izhar Ahmad, Additional
Public Prosecutor for respondent-
State with SI Rajdeep Singh, P.S.
IGI Airport

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER
(ORAL)

1. Quashing of FIR No.696/2018 under Sections 417/447 of IPC registered at P.S. IGI Airport, Delhi is sought on merits.
2. Learned counsel for petitioner submits that the charge-sheet in this FIR case is ready, but it is not being filed because the Investigating Officer is on leave.
3. Let the concerned SHO file the charge-sheet before the trial court on or before 11th January, 2019, so that petitioner can be heard on the point of charge by the trial court at the earliest, as it has been disclosed to this Court by petitioner's counsel that petitioner has to reach Seoul within a week or so.

4. Since petitioner has an opportunity to place his case before the trial court at the charge stage, therefore, it is deemed appropriate to dispose of this petition with direction to respondent-State to ensure that the charge-sheet is filed on or before 11th January, 2019 and the trial court shall ensure that the hearing on the point of charge takes place within a period of ten days thereafter. It is made clear that in case hearing on the point of charge is not completed within the aforesaid stipulated time, then petitioner's application for release of passport be considered by trial court.

5. With aforesaid directions, this petition and the application are disposed of.

Dasti.

JANUARY 09, 2019

s

**(SUNIL GAUR)
JUDGE**

भारतमेव जयते