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

+ W.P.(CRL) 704/2019

SH. VIJAY KUMAR

..... Petitioner

Through
versus

Mr. Mukul Sharma, Advocate

STATE & ANR.

..... Respondents

Through

Mr. Ashish Agarwal, ASC and
Mr. Piyush Singhal, Advocate with SI
Sateywati, P. S. Khyala

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

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08.03.2019

Matter has been listed before this bench pursuant to the direction of the Chief Justice issued vide order dated 28.02.2019.

The investigation in the FIR No. 405/2018 under Section 376 IPC registered at Police Station Khyala, Delhi is still pending.

After some hearing, upon his attention being drawn to the ruling of the Supreme Court reported as *Parbatbhai Aahir alias Parbatbhai Bhimsinhbhai Karmur and Others v. State of Gujarat and Another*, (2017) 9 SCC 641 and *The State of Madhya Pradesh v. Laxmi Narayan and others*, Crl. Appeal No. 349/2019, decided on 05.03.2019, the learned counsel for the petitioner, on instructions, submits that he may be permitted to withdraw the captioned petition and the application filed therewith.

The petition and the application filed therewith are dismissed as withdrawn.

R.K.GAUBA, J

MARCH 08, 2019/b