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

+ CRL.REV.P. 32/2012 & CRL.M.As.738/2012 & 10075/2013

VIMHANS Petitioner

Through: Mr. V.K. Malik, Adv.

versus

STATE AND ANR. Respondent

Through: Mr.Ashish Dutta, APP
Mr. Vineet Chaudhary & Mr.
Santosh Chaudhary, Advs. for
R-2

+ CRL.REV.P. 99/2012 & CRL.M.A.12119/2012

S M TULI Petitioner

Through: Mr. Arun Mahajan and
Mr.K.R.Chawla, Advs.

versus

STATE & ANR Respondents

Through: Mr.Ashish Dutta, APP
Mr. Vineet Chaudhary & Mr.
Santosh Chaudhary, Advs. for
R-2

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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20.02.2019

1. Learned counsel for the parties, after some arguments, submitted that the impugned order dated 7.12.2011 is a non-speaking order wherein it is stated that due to typographical mistake in the

order dated 24.10.2011, inadvertent omission of the letter A was made, and instead of Section 304A Indian Penal Code, 1860 (IPC), Section 304 IPC was mentioned. Learned counsel for the parties submitted that the impugned order is a non-speaking order, the matter may be remanded back to the Trial Court after setting aside both the orders dated 24.10.2011 and 7.12.2011.

2. I have also perused the impugned order dated 7.12.2011 and find it to be a non-speaking order and in view of the submissions of the learned counsel for the parties, I deem it appropriate to set aside the impugned order dated 7.12.2011 and the order dated 24.10.2011 and remand the matter back to the Trial Court for re-hearing on the point of charge and passing of an order as per law. Parties are directed to appear before the Trial Court on 26.2.2019.

3. The petition is disposed of in the above terms. Interim order stands vacated. Pending applications also stand disposed of.

4. It is clarified that this Court has not expressed any opinion on the merits of the petition or contentions of both the parties.


CHANDER SHEKHAR, J

FEBRUARY 20, 2019/rk