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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 5348/2019 and CRL.M.A. 38574/2019 (stay)
NARESH KUMAR GUPTA & ANR. Petitioners
Through: Mr. Ashutosh Dubey and Mr. Abhishek
Chauhan, Advocates

versus

DELHI SAFE DEPOSIT Respondent
Through: Mr. Vivek B., Advocate

✓ CRL.M.C. 5359/2019 and CRL.M.A. 38602/2019 (stay)
NARESH KUMAR GUPTA & ANR. Petitioners
Through: Mr. Ashutosh Dubey and Mr. Abhishek
Chauhan, Advocates
versus

STERLING FINANCE LEASING Respondent
Through: Mr. Vivek B., Advocate

CORAM:
HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER
% **06.11.2019**

1. The present petitions have been filed challenging the impugned order dated 16.10.2019 passed by Addl. Sessions Judge-04, New Delhi District, Patiala House Courts, New Delhi as well as the order dated 25.09.2019 passed by the learned Magistrate.
2. Learned counsel for the petitioners submits that on 07.08.2019 the application moved on behalf of the petitioners to summon defence witnesses was rejected and the case was listed for final arguments on 17.09.19. The order dated 07.08.19 was challenged before the Sessions Court, wherein on 23.09.2019, though notice was issued for 16.11.19 however, no stay was

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granted. In the meantime, when the case came up before the Magistrate on 25.09.19, a request was made on behalf of the petitioners that their counsel was not available, however, on the said date the petitioners' right to advance final arguments was closed and parties were directed to file written synopsis of their arguments. Further, the matter was fixed for judgment/clarification on 21.10.19 without noting that the revision against the order dated 07.08.19 was still pending before the Sessions Court for 16.11.19.

3. In view of the above, it is directed that the Magistrate shall not pronounce the judgment and shall await the outcome of the revision petition pending before the Sessions Court.

4. The present petitions are disposed of along with the pending applications.

5. Copy of this order be communicated to the concerned trial court.



MANOJ KUMAR OHRI, J

NOVEMBER 06, 2019

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