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

+ **CRL.REV.P. 798/2016**

C B I

..... Petitioner

Through: Mr.Mishal Vij and Mr.S.P.Singh,
Advs.

versus

BALDEV RAJ

..... Respondent

Through: Mr.N.K.Sharma, Adv.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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15.05.2019

1. Petitioner CBI impugns order dated 11.08.2016 whereby application filed by the petitioner under Section 311 Cr.P.C for summoning a witness had been rejected.
2. The respondent accused has already been acquitted by the Trial Court by judgment dated 25.03.2019.
3. Learned counsel for the petitioner CBI submits that the department is impugning the judgment and would be taking appropriate remedies in accordance with law. He submits that since the present petition had impugned an order rejecting the application seeking summoning of a witness, the petition has become infructuous.
4. He seeks leave to withdraw the petition with liberty to impugn the order impugned herein, if permissible in law, along with the

challenge to the main judgment.

5. In view of the above, petition is dismissed as withdrawn. All rights and contentions of the parties are reserved.

SANJEEV SACHDEVA, J

MAY 15, 2019
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