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

+ **CRL.M.C. 887/2020**

M/S. MAIR RAJPUT EDUCATIONAL SOCIETY & ORS

..... Petitioners

Through: Mr. B.S.Mathur, Mr. Rajat Mathur,
Mr. Mritunjay Singh, Mohd. Shahid,
Advs.

versus

YES BANK LIMITED

..... Respondent

Through

CORAM:

HON'BLE MR. JUSTICE RAJNISH BHATNAGAR

ORDER

% **17.02.2020**

Crl. M.A. No. 3625/2020 (for exemption)

Exemption allowed subject to just exceptions.

The application stands disposed of.

CRL.M.C. 887/2020 & Crl. M.A. 3626/2020

1. The petitioner has filed the present petition for quashing the Complaint Case No. 8521/2017.

2. It is submitted by the counsel for the petitioner that he is not pressing his prayer in the petition, however, he submits that he will be satisfied if the NBWs issued against the petitioner nos. 2 and 3 who are respondent nos. 3 and 4, are stayed. He submits that vide order dated 23.1.2020, it has been observed by the learned MM that on

perusal of the application filed by the petitioners for cancellation of NBWs there are no reasonable grounds for cancellation and it has also been observed that the accused have never appeared before the court.

3. Counsel for the petitioners has drawn the attention of this Court to the order dated 3.10.2017 wherein the presence of accused counsel Mr. Satjeev Chaturvedi, Advocate has been recorded. He further draws the attention of this Court to the order dated 27.6.2018 wherein it has been recorded that accused are present in person. He further draws the attention of this Court to the order dated 22.9.2019 where all the accused persons were represented by counsel.

4. In these circumstances, NBWs issued against the accused persons are stayed for a period of two weeks and petitioners are at liberty to move the concerned MM with appropriate application for cancellation of NBWs and the learned MM shall consider the application considering all the facts and circumstances raised by the petitioners in the application for their cancellation of NBWs.

5. With these observations, the petition stands disposed of.

Dasti.

RAJNISH BHATNAGAR, J

FEBRUARY 17, 2020

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