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

+ **CRL.M.C. 1768/2020**

GULSHAN ARORA

..... Petitioner

Through Mr.Vivek Sood, Sr. Adv.

versus

STATE OF NCT OF DELHI & ANR.

..... Respondents

Through Mr.Hirein Sharma, APP for State.
Ms.Tara Ganju, Adv. for R-2.

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

ORDER

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16.09.2020

The hearing has been conducted through video conferencing.

CrI. M.A. 12785/2020 in CrI.M.C.1768/2020

1. Vide the present application, the petitioner prays as under:
 - i. *Take on record the order dated 20.08.2009;*
 - ii. *Direct the Trial Court, learned MM (N.I.-03), Patiala House Courts, Delhi to consider the aforesaid order dated 20.08.2009 passed in CC No.2152/1/08, PS Prashant Vihar, Delhi while deciding the case bearing complaint No.54753/2016 titled as Gulshan Arora vs. Alka Kaushal;*
 - iii. *Direct the Trial Court to wait till the filing of certified copy of the aforesaid order dated 20.08.2009 passed in CC No.2152/1/08 PS Prashant Vihar, Delhi;*
 - iv. *Call for the entire records of CC No.2152/1/08 PS Prashant*

Vihar, Delhi decided by then learned MM, Shri Vishal Singh dated 20.08.2009;

- v. Direct the Trial Court to defer the judgment in Complaint No.54753/2016 titled as Gulshan Arora vs. Alka Kaushal till the disposal of the present petition;*
- vi. Direct the Trial Court to hear the arguments of both the parties on the order and compromise arrived before the court in CC No.2152/1/08 decided by then MM, Delhi on 20.08.2009.*

2. After hearing learned counsel for the parties at length, I hereby allow prayer clause (2), as sought in the present application, only to the extent if the judgment in CC No. 54753/2016 has not been pronounced yet. Accordingly, I hereby direct that the Trial Court while pronouncing the judgment, if not already pronounced, shall take into consideration the order dated 20.08.2009 passed in CC No.2152/1/08 passed by learned MM.

3. The application is disposed of.

4. Copy of the order be transmitted to Trial Court for information and necessary compliance.

CrL.M.C.1768/2020

5. In view of the order passed in the CrL.M.A. 12785/2020, the petition is disposed of.

6. The date already fixed i.e. 17.09.2020 stands cancelled.

7. The order be uploaded on the website forthwith.

SURESH KUMAR KAIT, J

SEPTEMBER 16, 2020/ab