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

+ **CRL.M.C. 240/2024, CRL.M.A. 946/2024**

RAKESH KUMAR SHARMA

..... Petitioner

Through: Mr. Pawan K. Bahl, Advocate with
Petitioner-in-person.

versus

STATE NCT OF DELHI & ANR.

..... Respondents

Through: Ms. Kiran Bairwa, APP with
Insp. S. S. Yadav (IO) and Insp.
Sandeep and, P.S. : Vasant Vihar.

CORAM:

HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

ORDER

% **01.02.2024**

CRL.M.A. 945/2024

Exemption allowed, subject to just exceptions.

Application stands disposed of.

CRL.M.C. 240/2024, CRL.M.A. 946/2024

Petition under Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been preferred on behalf of the petitioner for quashing of FIR No. 222/2006 under Sections 323/330/34/343/506 IPC registered at PS: Vasant Vihar, Delhi.

Issue notice. Learned APP for the State appears on advance notice and accepts notice.

Learned counsel for the petitioner submits that since the complainant (PW-1) failed to appear for purpose of cross-examination before the learned Trial Court despite ample opportunities, PW-1 (complainant) was directed to



be dropped from the array of witnesses vide order dated 22.11.2021.

It is further pointed out that as per the case of prosecution, only the complainant appears to be the relevant witness, while the remaining witnesses relate to formal conduct of investigation. The aforesaid position is confirmed by learned APP for the State, on instructions from IO.

In the facts and circumstances, learned Trial Court is directed to consider the aforesaid factual position and accordingly conclude the proceedings within a period of three months from the next date of hearing, i.e. 04.04.2024.

Petition is accordingly disposed of. Pending applications, if any, also stands disposed of.

A copy of this order be forwarded to learned Trial Court for information and compliance.

ANOOP KUMAR MENDIRATTA, J.

FEBRUARY 01, 2024/R