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

+ **CRL.M.C. 649/2024**

TATA CAPITAL LIMITED

..... Petitioner

Through: Mr. Nachiketa Suri and Mr. Gajendra
Pal Singh, Advocates

versus

STATE OF NCT OF DELHI & ORS.

..... Respondents

Through: Ms. Richa Dhawan, APP for State
with SI Arvind Singh, P.S. Prasad Nagar.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

% **29.01.2024**

CRL.M.A. 2687/2024 (exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

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3. This petition has been filed on behalf of the Petitioner under Section 482 Cr.P.C. read with Article 227 of the Constitution of India for expeditious adjudication of the application under Section 156(3) Cr.P.C. pending before the learned Trial Court in Complaint Case No.16585/2017 titled as '*Tata Capital Financial Services Limited v. Ritu Vasudeva & Ors.*'.
4. It is the case of the Petitioner that pursuant to a loan transaction between him and Respondents No.2 and 3, a complaint was filed by him on 11.07.2017 at P.S. Prasad Nagar for registration of an FIR vide DD No.51B. On 23.11.2017, a complaint was made to DCP, Central, New Delhi for



registration of FIR against Respondents No.2 to 5. As no progress was taking place on the complaint, the Petitioner filed Complaint Case under Section 200 Cr.P.C. with an application under Section 156(3) Cr.P.C. in December, 2017 before the Court of Chief Metropolitan Magistrate, Central District, Tis Hazari Courts, Delhi seeking registration of FIR. On the direction of learned Trial Court, on 30.05.2018, action taken report was filed by the State. Thereafter, between 2018 and 2023, as per the averments in the petition, arguments have taken place on the application under Section 156(3) Cr.P.C. several times, however, till date the application is pending adjudication and the next date before the learned Trial Court is 14.03.2024.

5. Learned counsel submits that despite the fact that over 6 years have elapsed since the complaint was filed, no action has been taken and the order sheets placed on record would show that for one reason or the other, the application is pending adjudication *albeit* on two dates of hearing, final arguments were heard and judgment was reserved but the matter was again put up for clarification/orders.

6. Issue notice.

7. Learned APP accepts notice on behalf of the State.

8. Considering the relief sought in the present petition, no notice at this stage is required to be issued to the remaining Respondents.

9. Petitioner has placed on record the action taken report, which as rightly pointed out, was filed way back in 2018. The order sheets placed on record show that there is substance in the contention of the Petitioner that from 04.04.2018 till date the application is pending adjudication for one reason or the other and in fact, on two dates, arguments were heard on the application and order was reserved. This does reflect a sorry state of affairs.



10. Accordingly, the learned Trial Court is requested to make every endeavour to expeditiously adjudicate the application and ensure that no unnecessary adjournment is given in the matter to either party.

11. Learned counsel assures the Court that the Petitioner will render full co-operation in the expeditious disposal of the application and will not take any unnecessary adjournment.

12. Petition stands disposed of.

JYOTI SINGH, J

JANUARY 29, 2024/kks