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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 1079/2023 and CRL.M.A. 4150/2023
SH. A.V. DHARMA REDDY & ORS. Petitioners
Through: Mr.Mohit Mathur, Sr. Advocate with
Mr.Tanveer Singh Nanda and Mr.Ankur Mishra,
Advocates

versus

SH. DEEN DAYAL TANWAR & ANR. Respondents
Through: Mr.S.N. Tripathy and Ms.Alkesh
Tanwar, Advocates

CORAM:
HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

% **19.01.2024**

1. By way of present petition filed under Section 482 Cr.P.C., the petitioners seek setting aside of the order dated 22.09.2022 as well as subsequent order dated 22.12.2022.
2. Amongst other grounds including sanction, the primary ground urged by learned counsel for the petitioners is that the summoning order lacks application of mind in as much the offence for which the accused have been summoned is not mentioned. The summoning order simply states that arguments were heard and the summons be issued to the accused persons. Vide subsequent orders, theailable warrants were issued against one of the accused. Summoning an accused is a serious matter as stated by the Supreme Court in Pepsi Food & Ors vs. Special Judicial Magistrate & Ors, reported as AIR 1998 SC 128.
3. I have perused the aforesaid summoning order. The order even does



not indicate as for what offence the petitioners have been summoned. Accordingly, the impugned order is set aside. The matter is remanded back to the concerned court to be listed at the first instance on 21.02.2024 and the same be decided afresh.

MANOJ KUMAR OHRI, J

JANUARY 19, 2024
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