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

+ **CRL.M.C. 2105/2024**

RUI AVILA

..... Petitioner

Through: Mr.Vaibhav Amonkar, Mr.S. Sardesai,
Advocates

versus

STATE GOVT OF NCT OF DELHI & ANR. Respondents

Through: Mr.Manoj Pant, APP for State

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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15.03.2024

CRL.M.A. 8182/2024 (exemption)

1. Allowed, subject to all just exceptions.
2. The application is disposed of.

CRL.M.C. 2105/2024

1. By way of present petition filed under Section 482 Cr.P.C., the petitioner seeks to assail the initiation and continuation of the proceedings initiated under Section 82 Cr.P.C. in the case arising out of FIR No.65/2022 registered under Sections 420/465/467/468/471/120B/406/409 at P.S. Tilak Marg and more specifically the orders dated 06.11.2023 and 17.02.2024 passed by learned MM, Patiala House Court, New Delhi.
2. Learned counsel for the petitioner contends that the proceedings under Section 82 Cr.P.C. cannot be now continued especially as the petitioner has joined the proceedings pursuant to the order dated 01.11.2023 passed by this Court in BAIL APPLN. 3636/2023, whereby the Court had directed that no coercive steps be taken against the petitioner, subject to him joining the



investigation.

3. Learned APP for the State confirms the factum of the petitioner having joined the investigation.

4. Considering the aforesaid, the impugned orders thereby keeping the proceedings under Section 82 Cr.P.C., alive and deferred for the next date are clearly in breach of the order of protection granted by this Court. Accordingly, the same are set aside.

5. In view of the above, the petition is disposed of.

MANOJ KUMAR OHRI, J

MARCH 15, 2024

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