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

+ **TR.P.(CRL.) 26/2024**

VINOD KUMAR KATARIA Petitioner

Through: Petitioner in person.

versus

STATE NCT OF DELHI Respondent

Through: Ms. Shubhi Gupta, APP for the State
with ACP Naresh Kumar and Insp. Pawan Kumar,
PS: AGS, Crime Branch.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

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15.03.2024

CRL.M.A. 8310/2024 (Exemption)

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

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3. This petition has been filed under Section 407 Cr.P.C. seeking transfer of case CC No.28/2023 titled '*State v. Sandip Kumar & Ors.*', from Special Judge (PC Act), ACB-02, Rouse Avenue Court to Special Judge (PC Act), CBI, Rouse Avenue Court.

4. Reading of the petition shows that the ground essentially urged in the petition is that the investigation is not being conducted properly and for which Petitioner had filed an application under Section 173(8) Cr.P.C. seeking re-investigation and impleadment of Ministry of Culture, being the Administrative Head of Centre for Cultural Resources and Training (CCRT), which application was erroneously dismissed by the Trial Court vide order dated 08.02.2024. However, the relief sought appears to be on a



different ground which is evident from the prayer clause, as follows:-

“(A) To issue order or direction to transfer CC No.28/2023 titled as State vs Sandip Kumar & Ors from Spl Judge (PC Act) ACB-02 Rouse Avenue Court to Spl Judge (PC Act) CBI Rouse Avenue Court as matter pertains to Central Govt. in reference to Section- 17 of the POC Act and Section 6A of Delhi Special Police Establishment act;

(B) To issue any other order/direction as this Hon’ble Court may deem fit, just and proper in the facts and circumstances of the case;

(C) Award the cost of the petition to the petitioner throughout. ”

5. Faced with this, Petitioner, who appears in person, seeks to withdraw this petition, with liberty to take recourse to appropriate remedies available in law for assailing the order dismissing the application filed by the Petitioner seeking re-investigation, etc.

6. Petition stands disposed of as withdrawn with liberty as prayed for, in accordance with law.

JYOTI SINGH, J

MARCH 15, 2024/shivam