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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 1626/2019 & CRL.M.A. 6500/2019

VIKAS MAHAJAN & ORS

.....Petitioner

Through: Mr. Avinash Das &
Mr. Nikhil Yadav, Advs.

versus

STATE NCT OF DELHI & ANR

.....Respondents

Through: Mr. Sunil Kumar Gautam,
APP for the State
SI Jitendra, PS- GK-II
Ms. Dipika Prasad, Adv.
for R2

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

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12.07.2024

1. The grievance of the petitioner is that the summons were issued by the impugned order dated 21.08.2018 by the learned Presiding Officer even though she was related to Respondent No. 2.
2. The learned counsel for Respondent No. 2 submits that the learned Presiding Officer was distantly known and related to Respondent No. 2 and was not aware of it. When the same was brought to her knowledge, the learned Judge had herself recused from the case.
3. She submits that she has no objection if the impugned order is set aside and the matter is remanded back for consideration afresh.
4. In view of the above, without going into the issues raised in the present petition, this Court considers it apposite to set aside the order dated 21.08.2018 and remand the matter back to the



concerned Court for passing a fresh order.

5. The petition is disposed of in the aforesaid terms.

AMIT MAHAJAN, J

JULY 12, 2024

“SS”