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

+ **CRL.M.C. 2705/2022 & CRL.M.A. 11168/2022**

RANDHIR SINGH

.....Petitioner

Through: Mr. Gurpreet Singh &
Mr. Jagjeet Nandal, Advs.

versus

STATE AND ANR & ANR.

.....Respondents

Through: Mr. Manoj Pant, APP for
the State
Inspector G.N. Tiwari, PS-
EOW
Mr. Murari Kumar
(through VC) & Ms Lisha,
Advs. for R2

+ **CRL.M.C. 2860/2022, CRL.M.A. 11819/2022 &
CRL.M.A. 25526/2023**

SNAPDEAL LIMITED

.....Petitioner

Through: Mr. Siddharth Aggarwal &
Mr. Ankit Agarwal, Advs.

versus

STATE OF NCT OF DELHI
& ORS.

.....Respondents

Through: Mr. Manoj Pant, APP for
the State
Inspector G.N. Tiwari, PS-
EOW
Mr. Murari Kumar
(through VC) & Ms.
Lisha, Advs. for R2

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

06.12.2024

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1. It is undisputed that the petitioners were not heard by the



learned Court of Sessions.

2. It is also undisputed that the petitioner in CRL.M.C. 2705/2022 has been named as an accused.

3. The learned counsel for the petitioner also does not dispute that the respondent No.2 was not heard by the learned MM at the time of considering the closure report.

4. The learned counsel for the parties are at *ad idem* that the matter can be restored back to the Court of JMFC from the stage of submission of the report by the prosecution.

5. They also agree that Respondent No. 2 be given liberty to file a protest petition, protesting the report filed by the prosecution in the present case.

6. In view of the above, the matter is restored to the concerned JMFC to the stage as obtaining on 24.07.2021.

7. The learned JMFC is directed to hear all the parties and pass a final order uninfluenced by any observations that may have been made by the learned Court of Sessions in CRL. REV. No. 169/2021.

8. The learned senior counsel for the petitioner in CRL.M.C. 2860/2022 submits that the observations made in Para 13 of the order dated 24.05. 2022, passed by the learned Court of Sessions, records certain allegations against the counsel representing the petitioner, without affording any opportunity to the petitioner to reply to the said allegations. He requests that the same may be directed to be taken off the record.

9. The request made by the learned senior counsel for the petitioner commends to this Court.

10. In view of the above the contentions raised in Para 13 of the order dated 24.05.2022 are directed not to be taken note of in any of the proceedings and are set aside.



11. The parties are directed to appear before the learned Trial Court on 13.12.2024.
12. The learned Trial Court is directed to fix a schedule as per its own convenience.
13. The impugned order dated 24.05.2022 is modified with the aforesaid observations.
14. A copy of this order be placed in both the matters.

AMIT MAHAJAN, J

DECEMBER 6, 2024
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