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

+ **W.P.(CRL) 1372/2024 & CRL.M.A. 13497/2024**

RAKESH KUMAR & ANR. Petitioners
Through: Mr. Varun Mudgil, Mr.
Rakesh Kumar, Ms Eti
Kushwahi & Mr. Mohit
Mudgal, Advocates.

versus

STATE NCT OF DELHI AND ORS. Respondents
Through: Ms. Rupali Bandhopadhyia,
ASC for the State with Mr.
Abhijeet Kumar, Advocate.

CORAM:
HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER
03.05.2024

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1. The present writ petition is filed under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 ('CrPC'), *inter alia*, challenging the proceedings emanating from Kalandra No. 194 dated 16.03.2024 issued against the petitioners, under Section 107/151 of the CrPC, registered at police station South Rohini.
2. It is not in dispute that the proceedings in relation to the Kalandara is pending before the learned Special Executive Magistrate ('SEM'), which is now listed on 17.05.2024.
3. The learned counsel for the petitioner submits that the proceedings before the learned SEM have been delayed unnecessarily and the petitioner has been unnecessarily and falsely implicated.



4. He, however, submits that he would be satisfied if the learned SEM is directed to pass an order expeditiously after considering the arguments as raised by the petitioner.
5. The learned Additional Standing Counsel for the State submits that the present writ petition can be treated as a reply/representation in the proceedings pending before the learned SEM.
6. In view of the above, this Court does not consider it apposite to consider the prayers as raised by the petitioners at this stage.
7. The learned SEM is requested to expeditiously pass an appropriate order after considering the grounds as raised by the petitioner in the present writ petition.
8. Needless to say, the petitioner is at liberty to approach this Court in case any grievance remains.
9. The present petition is disposed of with the aforesaid liberty.

AMIT MAHAJAN, J

MAY 3, 2024
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