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

+ CRL.M.C. 3052/2022 & CRL.M.A. 12841/2022, CRL.M.A.
11526/2024

**PRABHAT DAIRY LIMITED (NOW KNOWN AS MADHYAM
AGRIVET INDUSTRIES LIMITED & ORS.Petitioners**

Through: Mr. K.K. Rai, Sr. Advocate with Mr.
Anshul Rai, Mr. S.K. Pandey, Mr.
Awanish Kumar, Mr. Chandrasekhar
A. Chakalabbi, Ms. Medha Tandon,
Ms. Sreoshi Chatterjee, Mr. Pulkit
Kapoor, Mr. Ravilochan Daliparthi,
Advocates.

versus

STATE (GOVT. OF NCT OF DELHI) & ANR.Respondents

Through: Mr. Shoaib Haider, APP for the State.
Mr. Jitendra Bharti, Advocate for R-
2.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

28.08.2024

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1. Petitioner has approached this Court challenging the Order dated 28.03.2022, passed by the learned Metropolitan Magistrate, South-West, Dwarka District Courts, in CC No.10424/2017, issuing summons against the Petitioner herein on the ground that a prima facie case is made out against the Petitioner for offences under Section 420/406/120B/34 IPC.

2. When this Court gave a suggestion to the learned Counsel for the Petitioner that it would be expedient for the Petitioner to approach the Sessions Court first and then the matter can be dealt with under Section 482



Cr.P.C for the reason that this Court will be benefitted by one more observation, learned Counsel for the Petitioner seeks permission to withdraw the present Petition with liberty to approach the Sessions Court.

3. Permission, as prayed for, is granted.

4. In view of the fact that the impugned Order is of 2022, as and when the Petitioner approaches the Sessions Court, the Sessions Court is requested to dispose of the Petition filed by the Petitioner as expeditiously as possible, preferably within six months from the date of filing of the Petition.

5. With these directions, the Petition is disposed of, along with the pending applications, if any.

6. It is made clear that this Court has not made any observations on the merits of the case.

7. It is always open for the Petitioner to file an appropriate application before the Sessions Court seeking exemption from personal appearance and the same shall be considered by the Sessions Court on its own merits.

SUBRAMONIUM PRASAD, J

AUGUST 28, 2024

Rahul