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

+ **W.P.(C) 11899/2022 & CM APPLs. 35519/2022, 57219/2023**

NISHA GUPTA

..... Petitioner

Through: Mr. Pritish Sabharwal, Ms. Pooja and
Mr. Anmol Sehgal, Advocates.

versus

UNION OF INDIA & ORS.

..... Respondents

Through: Mr. Anurag Ahluwalia, CGSC for R-
1 and 3.
Mr. Mahesh K. Chaudhary and Ms.
Sushmita Chaudhary, Advocates for
R-2.
Mr. Rajesh Kumar, SPP for CBI with
Mr. Shivam, Advocate.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

11.03.2024

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1. The Petitioner has approached this Court challenging the Look Out Circular (LOC) issued against the Petitioner at the instance of Respondent No.2/Punjab National Bank.
2. A Regular Case (RC) has been registered against the Petitioner at the instance of CBI for various offences under the Indian Penal Code (IPC), 1860 and the Prevention of Corruption Act, 1988.
3. Learned Counsel appearing for the Petitioner contends that the report under Section 174(3) has been filed before the learned Trial Court, however, the Petitioner has not been summoned for the offences under the Prevention



of Corruption Act, 1988. He states that the argument on summoning is yet to take place.

4. When this Court suggested to the learned Counsel for the Petitioner in terms of the Judgment passed by this Court in Sumer Singh Salkan v. Asstt. Director, **2010 SCC OnLine Del 2699**, the Petitioner can approach the Ld. Trial Court for quashing of the Look Out Circular (LOC) at the time of arguments on summoning, the learned Counsel for the Petitioner graciously accepts the suggestion made by this Court and seeks permission to withdraw the present writ petition with liberty to approach the Ld. Trial Court for quashing of LOC at the time of arguments on summoning.

5. Permission and liberty, as sought for, are granted.

6. The Ld. Trial Court is requested to consider the matter as expeditiously as possible, preferably within a period of four months from today.

7. With these observations, the writ petition is disposed of, along with pending application(s), if any. It is made clear that this Court has not made any observations on the merits of the case. All rights and contentions of both the parties are left open.

SUBRAMONIUM PRASAD, J

MARCH 11, 2024

S. Zakir