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

+ **CRL.M.C. 4172/2019 & CRL.M.A. 34212/2019**

SH. DEBASIS MAJUMDARPetitioner

Through: Mr. Malaya Kumar Chand,
Adv.

versus

STATERespondent

Through: Mr. Sunil Kumar Gautam,
APP for the State with
Insp. Vikas Malik and
W/SI Sunita, PS M.S.
Park.

+ **CRL.REV.P. 889/2019 & CRL.M.A. 34203/2019**

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APP for the State with
Insp. Vikas Malik and
W/SI Sunita, PS M.S.
Park.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

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23.08.2024

1. The present petitions are filed challenging the summoning order dated 02.11.2015 and order on charge dated 30.03.2019 respectively, passed in the proceedings arising out of FIR No. 551/2014, registered at Police Station Mansarovar Park.

2. The learned Additional Sessions Judge, Karkardooma Courts, by the impugned order on charge dated 30.03.2019, had



framed charges against the petitioner for the offences under Sections 376(2)(f)/342/506/354/354A of the Indian Penal Code, 1860.

3. The petitions were filed way back in the year 2019. The order sheets indicate that the matters have been kept pending since the petitioner has repeatedly taken adjournments.

4. On 19.03.2024, none had appeared before this Court for the petitioner and this Court had noted that the trial is almost at the fag end.

5. At the outset, the learned counsel for the petitioner points out that the final arguments have taken place and the trial has concluded. He submits that the matter is now listed for pronouncement of judgment on 03.09.2024.

6. Evidently, much water has flown after filing of the present matters. At this stage, this Court does not consider it apposite to entertain the present petitions. In the opinion of this Court, the petitions have become infructuous with the efflux of time.

7. The learned counsel for the petitioner submits that the petitioner will be satisfied if all the arguments taken by the petitioner in the present proceedings are kept open in the eventuality that the petitioner is convicted in the trial.

8. Needless to say, if the final order is passed against the petitioner, the petitioner would be at liberty to take all arguments that may be available under law.

9. The petitions are disposed of in the aforesaid terms.

10. A copy of this order be placed in both the matters.

AMIT MAHAJAN, J

AUGUST 23, 2024/ 'KDK'