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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 2338/2022**
SAVITRI SOLANKIPetitioner
Through: Mr. Nirmal Pandit, Advocate

versus

STATE AND ORSRespondents
Through: Mr. Anand V. Khatri, ASC for State

CORAM:
HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER
19.12.2024

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1. A perusal of the proceedings would show that the matter is listed at the stage of maintainability.
2. Learned ASC for the State submits that the present petition is rather a third attempt by the petitioner, his earlier two attempts having been fruitless.
3. It is noted that the petitioner has earlier preferred a petition under Section 482 Cr.P.C. being CRL.M.C. 5310/2018 based on the same facts and grounds, which after hearing came to be dismissed as withdrawn on 30.08.2019. The order dated 30.08.2019 reads as under:-

*“After some arguments, learned counsel for the petitioner seeks permission to withdraw the present petition.
Permission is granted.
The petition is, accordingly, dismissed as withdrawn.”*

4. The petitioner again approached this Court on the same facts and grounds vide CRL.M.C. 5988/2019, which came to be disposed on 12.02.2020. The order dated 12.02.2020 reads as under:-



“Vide the present petition the petitioner assails the impugned order dated 2.5.2018 in Crl.Revision petition No. 393/2017 as well as the order dated 28.7.2017 in CIS No. 3438/2017 of the learned Trial Court and seeks issuance of the summons to the respondents arrayed as respondents to face trial before the learned Trial Court as per law. At this stage has been pointed out by the State the order dated 30.8.2019 in Crl.M.C. No. 5310/2018 which reads to the effect:

“After some arguments, learned counsel for the petitioner seeks permission to withdraw the present petition.

Permission is granted.

The petition is, accordingly, dismissed as withdrawn.”,

which has thus brought forth that after some arguments, the learned counsel for the petitioner had sought to withdraw the petition. It is not refuted on behalf of the petitioner that the said petition was premised assailing the very same impugned order. In as much as no liberty was granted vide order dated 30.8.2019 nor is it indicated that any permission was granted to file the petition afresh, the petition is not maintainable and is thus declined.”

5. Concededly, the present petition is filed raising same facts and grounds. Considering that no fresh grounds are made out, this Court is not inclined to entertain the present petition. Accordingly, the same is dismissed.

MANOJ KUMAR OHRI, J

DECEMBER 19, 2024

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