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

+ **W.P.(CRL) 3409/2019**

**VENKATESHWAR HOSPITAL & ORS. .... Petitioner**

Through: Ms. Petal Chandhok, Ms. Rupali  
Gupta & Ms. Yashita Rastogi, Advs.

versus

**STATE & ANR. .... Respondent**

Through: Ms. Rupali Bandhopadhyay, ASC  
with Mr. Pranav Gupta, Mr. Abhijit  
Singh & Mr. Sagar Mehlawat  
alongwith SI Teeena Phogat.

**CORAM:  
HON'BLE MR. JUSTICE AMIT SHARMA**

**ORDER  
03.05.2024**

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1. The present Petition under Article 226 of the Constitution of India read with Section 482 of the Cr.P.C. seeks the following prayers:

“a) Pass an order quashing the F.I.R. No 0489/2019, P.S. Dwarka North dated 24.11.2019 u/s 347, 386 and 120-B of Indian Penal Code, 1860 and all proceedings arising therefrom;

b) Pass an order, quashing the Complaint Case No. 28488/2019 under section 200 Cr.P.C. titled as ***"Sumit Virmani Vs. Venkateshwara Hospital & Ors"*** pending before the Ld. MM, North, Dwarka Courts New Delhi and all proceedings arising therefrom;

c) Pass an Order setting aside the Impugned Order dated 07.11.2019 passed by the Ld. MM, North, Dwarka Courts New Delhi, u/s 156(3) Cr.P.C. in Complaint Case No. 28488/2019 titled as ***"Sumit Virmani Vs. Venkateshwara Hospital & Ors"*** and all proceedings arising therefrom;

d) Pass any other orders/directions which this Hon'ble Courts deems fit and proper circumstances and facts of the case.



2. Learned ASC for the State on instructions from the Investigating Officer, submits that the closure report has been filed in the present the FIR before the Court of competent jurisdiction.
3. In view of the above, the learned counsel for the petitioner without prejudice to the rights and contentions, seeks leave to withdraw the present petition with liberty to file appropriate proceedings in accordance with law, if the need so arises.
4. Leave and liberty granted.
5. The petition is dismissed as withdrawn and disposed of accordingly.

**AMIT SHARMA, J**

**MAY 3, 2024/K**