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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **CRL.REV.P. 1068/2024, CRL.M.A. 25578/2024 &**  
**CRL.M.A. 25579/2024**

RAJNEESH AHUJA AND ORS .....Petitioners

Through: Mr. Samman Vardhan  
Gautam & Mr. Pulkit  
Arora, Advs.

versus

THE STATE GOVT OF NCT OF DELHI AND ORS

.....Respondents

Through: Mr. Naresh Kumar  
Chahar, APP for the State  
along with Mr.  
Abhimanyu Kartikey  
Bhardwaj, Mr., Ambar  
Kaushik & Mr Kaushal  
Sharma, Advocates.  
SI Ramchandra (P.S.  
EOW).

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

**ORDER**  
**28.08.2024**

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1. The order dated 21.01.2023, passed by the learned Chief Metropolitan Magistrate, Rohini Courts, Delhi dismissing an application filed by the petitioner under Section 156 (3) of the Code of Criminal Procedure, 1973 ('CrPC'), is revisable under Section 397 of the CrPC, before the learned Court of Sessions.
2. The learned counsel for the petitioner relies upon the judgement in the case of *CBI v. State of Gujarat : (2007) 6 SCC 156* to contend that existence of alternate remedy will not deter the High Court to entertain a petition under Section 482 of the CrPC.



3. In view of the alternate remedy, this Court does not consider it apposite to entertain the present petition.
4. The petitioner is at liberty to file an appropriate petition before the learned Court of Sessions.
5. It is clarified that if any application seeking condonation of delay is filed, the same may be adjudicated on its own merits and this Court has not commented anything in that regard.
6. The petition is dismissed in the aforesaid terms.

**AMIT MAHAJAN, J**

**AUGUST 28, 2024**

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