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

+ **CRL.M.C. 581/2024**

GULJAAR KHAN

..... Petitioner

Through: Mr. S.S. Das, Advocate

versus

STATE (NCT OF DELHI)

..... Respondent

Through: Mr. Yudhvir Singh Chauhan, APP for
State with SI Neeraj, ANTF, Crime Branch.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

% **24.01.2024**

CRL.M.A. 2380/2024 (exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

CRL.M.A. 2381/2024 (condonation of delay in refiling)

3. Present application has been filed seeking condonation of delay of 60 days in refiling the petition.
4. For the reasons stated in the application, the same is allowed.
5. Delay of 60 days in refiling the petition is condoned.
6. Application stands disposed of.

CRL.M.C. 581/2024

7. This petition has been filed under Section 482 Cr.P.C. assailing the order dated 18.09.2023 passed by the Special Judge (NDPS) (West), Tis Hazari Courts, Delhi in FIR No.252/2022 dated 02.11.2022 registered under Sections 21/25/29 of Narcotic Drugs and Psychotropic Substances Act, 1985 at P.S. Crime Branch, whereby the Trial Court has rejected the application



of the Petitioner for sending certain documents relating to the investigation of the case to FSL for comparison with the allegedly admitted genuine signatures of the Petitioner.

8. Perusal of the impugned order shows that the application was rejected by the Trial Court noting the stand of the State that a contradictory stand has been taken by the accused inasmuch as at one stage, he has stated that his signatures were taken on some blank papers which were then converted into documents of this case while, on the other hand, he states that he has not signed the aforesaid papers and observing that the application was premature as the charge had not been framed.

9. During the course of hearing, learned counsel for the Petitioner submits that charge has now been framed and one prosecution witness has already been examined. Therefore, the submission, without prejudice to the contentions raised in the present petition, is that the Petitioner be permitted to withdraw this petition, with liberty to approach the Trial Court in accordance with law.

10. Accordingly, the present petition is disposed of as withdrawn in view of the subsequent developments post the passing of the impugned order dated 18.09.2023, with liberty to the Petitioner to approach the Trial Court in accordance with law.

11. It is made clear that this Court has not expressed any opinion on the merits of the case and if any such application is preferred by the Petitioner, the Trial Court will decide the same on merits and in accordance with law.

JYOTI SINGH, J

JANUARY 24, 2024/kks