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

+ CRL.M.C. 8000/2024 & CRL.M.A. 30541/2024

SHRI ASHOK KUMAR TANEJAPetitioner

Through: Mr. Puneet Goel, Advocate

versus

STATE OF NCT OF DELHI & ANR.Respondents

Through: Mr. Yudhvir Chauhan, APP for the
State & SI Dheer Singh PS Geeta
Colony

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

% **09.10.2024**

1. This petition has been filed assailing the impugned order dated 11th September 2024 in Crl Rev.01/2024 passed by the ASJ, East District, Karkardooma Courts, Delhi.

2. By the said revision petition, petitioner had challenged orders of Metropolitan Magistrate ("MM") dated 20th December 2023 as also 30th October 2023. An application under Section 156 (3) Cr.P.C. was disposed of by the MM with directions for registration of the FIR.

3. The MM concluded that in conspectus of facts and circumstances, commission of cognizable offence under Section 285 IPC was made out since there was combustible material stored at the shop of accused, which had presumably caused fire incident that occurred on 2nd July 2023. As a result of fire, petitioner-complainant's shop was badly affected and burned. Petitioner had also complained that despite sealing orders, accused had been operating the said shop for which he had already registered complaints with the MCD.



4. Revision Petition was filed contending that offences under Section 435 IPC shall also be added. The ASJ has addressed contention of petitioner and rightly noted that the FIR was registered under Section 285 IPC based on facts on record.
5. The Court has also heard the counsel for petitioner with regard to Section 435 IPC elements but does not find any reason to interfere with the impugned orders passed.
6. Petition is accordingly dismissed along with the pending application.
7. Order be uploaded on the website of this Court.

ANISH DAYAL, J

OCTOBER 9, 2024/sm