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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 1699/2022, CRL.M.A. 7249/2022 & CRL.M.A. 1212/2023
DR. SUNIL SAREENPetitioner

Through: Mrs. Rashi Bansal and Ms. Deepti
Thapa, Advocates

versus

STATE OF NCT OF DELHI & ANR.Respondents

Through: Mr. Amol Sinha, ASC (CRL) with
Mr. Kshitiz Garg, Mr. Ashvini Kumar
and Mr. Nitish Dhawan, Advocates
for the State

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+ W.P.(CRL) 356/2024, CRL.M.A. 3333/2024

PRAMOD KUMAR CHOUDHARYPetitioner

Through:

versus

STATE & ORS.Respondents

Through: Mr. Amol Sinha, ASC (CRL) with
Mr. Kshitiz Garg, Mr. Ashvini Kumar
and Mr. Nitish Dhawan, Advocates
for the State
Mrs. Rashi Bansal and Ms. Deepti
Thapa, Advocates for R-2 & 3

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

08.10.2025

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1. Petition bearing CRL.M.C. No. 1699/2022 under Section 482 of the Code of Criminal Procedure, 1973 has been filed to challenge the Summoning Order dated 17.11.2021 of learned ACMM in FIR No.0328/2017 titled as State v. Sunil Sareen & Ors. and also to quash the Chargesheet dated 25.01.2020 at P.S. Ranjit Nagar, Delhi.



2. Cross Petition bearing W.P.(CRL) No. 356/2024 has been filed by the Complainant in the same FIR to challenge the Order dated 12.12.2023 of the learned ASJ whereby the Order of learned ACMM dismissing the Protest Petition seeking incorporation and further investigation in respect of offence under Section 304 Part II/419 IPC, has been dismissed.
3. Essentially, it is a case of medical negligence whereby the Summoning Order of learned ACMM has been challenged.
4. After some submissions, learned Counsel for the Petitioner seeks permission to withdraw the present Petitions to challenge the same before the learned Court of ASJ in accordance with the law with liberty to raise all these contentions before the learned ASJ.
5. Likewise, in the Protest Petition, learned Counsel for the Petitioner seeks permission to withdraw the Petition with liberty to raise all these contentions in regard to the invocation of additional offences on the facts of the case before the learned Trial Court at the stage of charge.
6. In view of the submissions made, both the Petitions alongwith pending Applications, are hereby permitted to be withdrawn with liberty to the respective parties to raise their challenges before the appropriate Forum in accordance with the law.
7. Insofar as the question of limitation is concerned, the respective Counsel are at liberty to justify the same before the learned Trial Court on account of the pendency of the Petitions in this Court and the learned Trial Court may consider the same in accordance with the law.

NEENA BANSAL KRISHNA, J

OCTOBER 8, 2025/N