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

+ CRL.M.C. 2727/2024 & CRL.M.A. 31039/2025

ABDUL MOGHNI

.....Petitioner

Through: None

versus

THE STATE OF NCT OF DELHI AND ANR.Respondents

Through: Mr. Manoj Kumar Sharma, Advocate
for Respondent No. 2/applicant
IO SI P. Buno is also present from PS
Madhu Vihar

CORAM:

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

% **20.03.2026**

CRL.M.A. 31038/2025

1. This is an application filed on behalf of Respondent No. 2, seeking to set aside the order dated 23rd July 2025, whereby, CRL. MC No. 2727/2024 was allowed and FIR No. 0299/2020, under Sections 279/337 IPC, registered at PS Madhu Vihar along with charge sheet and the consequent proceedings emanating therefrom, have been quashed.

2. The applicant/Respondent No. 2 is stated to be the injured/complainant. The learned counsel for the applicant submits that applicant did not receive any notice of the petition, and therefore, had no opportunity to oppose the same and that he came to know of the order dated 23rd July 2025 and quashing of the FIR upon checking the case status on-line e-Court Services. He submits that the order dated 23rd July 2025, having



been passed at the back of the applicant/Respondent No. 2, is liable to be set aside and applicant be granted opportunity to contest the petition.

3. As per the office noting, notice sent to Respondent No. 2 for 05th July 2024, was duly served. Further, as per report in respect of notice sent for 02nd July 2024, no one came to collect notice sent to Respondent No. 2 through courier. The office noting thus clearly reveals the service of notice to the applicant/Respondent No. 2. Despite such service of notice, Respondent No. 2 neither appeared nor contested the petition.

4. In view of the aforesaid, there is no merit in the application for setting aside the order dated 23rd July 2025. The same is accordingly dismissed.

5. The pending application, if any, also stands disposed of.

RAVINDER DUDEJA, J.

MARCH 20, 2026

RM