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

+ **CRL.M.C. 3578/2023, CRL.M.A. 254/2024**

SYED MOHAMMED MATLOOB

.....Petitioner

Through: Mr. Vinayak Bhandari and Mr. Ishaan
Phukan, Advs.

versus

THE STATE GOVT.OF NCT OF DELHI

.....Respondent

Through: Mr. Ajay Vikram Singh, APP for the
State with SI Akashdeep P.S. Jamia
Nagar.
Ms. Sunita Arora DHCLSC for R-2.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

15.10.2025

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1. A Petition under Section 482 of the Code of Criminal Procedure, 1973 has been filed on behalf of the Petitioner for setting aside the Judgment and Order dated 14.02.2023 of learned M.M vide which the Application under Section 340 Cr.P.C filed by the Petitioner has been dismissed and Order of learned ASJ dated 25.03.2023 in Criminal Petition No.99/23 vide which the Order of the learned M.M has been upheld.
2. During the course of the arguments it is submitted that the Application under Section 340 Cr.P.C was filed against the Complainant for making false depositions in the statement. However, her cross-examination is still continuing and there is no finding of the Court of the statement being false.



3. Learned counsel for the Petitioner submits that he may be permitted to withdraw the present Petition with liberty to file afresh Application under Section 340 Cr.P.C, which may be decided at the end of the trial.
4. In view of the submissions made, the learned Counsel for the Petitioner is permitted to withdraw the present Petition with liberty to the Petitioner to file afresh Application under Section 340 Cr.P.C which shall be decided along with the final adjudication in the matter.
5. The Petitioner is present in person and submits that the Complainant is continuing to make unauthorized construction.
6. Controversy in regard to unauthorized construction is not the subject matter of the present Petition. No directions are warranted in this regard. The Petitioner is at liberty to proceed in accordance with law.
7. The Petition stands disposed of along with pending Application(s).

NEENA BANSAL KRISHNA, J

OCTOBER 15, 2025/va