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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 3083/2025 & CRL.M.A. 13653/2025 - STAY OF
PROCEEDINGS BEFORE LD. TRIAL COURT
SURENDER SINGH & ANR.Petitioner

Through: Mr. Baldev Raj, Mr. Aakash
Goswami, Ms. Shikha Tyagi, Mr.
Sumeet Sandeep Tyagi, Advs.

versus

STATE OF NCT OF DELHIRespondent

Through: Ms. Priyanka Dalal, APP with SI
Sumit.

CORAM:
HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER
02.12.2025

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CRL.M.C. 3083/2025

1. This is a petition under Section 482 Cr.P.C./528 BNSS seeking to set aside the orders dated 14.03.2024 & 03.04.2025 and for grant of permission to the petitioner to summon PW-2 Ashok Kumar Tyagi for remaining cross-examination.
2. Mr. Baldev Raj, Ld. Counsel who appears for the petitioner submits that no application was filed under Section 311 Cr.P.C. before the Trial Court and therefore, seeks permission to withdraw the present petition with liberty to file the application under Section 311 Cr.P.C. before the Trial Court for further cross-examination of PW-2.
3. The statement made by the Ld. Counsel is taken on record and



petition along with pending application, if any, is dismissed as withdrawn with liberty as prayed for.

4. It is clarified that no orders has been passed on merits of the petition and in case such an application is filed, the Trial Court shall decide the application on its own merits.

RAVINDER DUDEJA, J

DECEMBER 2, 2025/lks/ma