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

+ **CRL.M.C. 5236/2025**

AJAY ENTERPRISES PRIVATE LIMITED & ORS.....Petitioners

Through: Mr. Mohit Mathur & Mr. Shri Singh,
Sr. Advs. with Mr. Vikas Mishra, Mr.
Sanchit Gawri, Mr. Nilay Kaushal,
Ms. Krishna Dev Yadav, Mr. Shiv,
Ms. Enakshi, Advs.

versus

STATE OF NCT OF DELHI & ANR.Respondents

Through: Mr. Aman Usman, APP for the State
with Insp. Kamal Kishor, PS EOW
Mr. H.S. Bhullar, Ms. Ekta Chandani,
Ms. Yashi Gupta, Advs. for R-2

CORAM:

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

% **04.08.2025**

CRL.M.A. 22635/2025 (exemption from filing dim annexures etc.)

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

CRL.M.C. 5236/2025 & CRL.M.A. 22634/2025 stay

1. This is a petition under Section 528 BNSS read with Section 482 Cr.P.C. challenging the order dated 03.06.2025 passed by the Ld. Chief Judicial Magistrate taking cognizance of the offence under Sections 420/120B IPC and issuing summons to the petitioners in case FIR no. 65/2017 registered at PS Greater Kailash under Section 420 IPC.
2. Mr. Mohit Mathur, Ld. Senior Counsel appearing for the petitioner states that cognizance has been taken on closure report filed by the police.



However, this fact is disputed by Ld. APP assisted by Mr. H.S. Bhullar, Ld. Counsel appearing for respondent no.2.

3. Mr. Bhullar, submits that pursuant to the closure report filed by the police, respondent no.2 filed the protest petition on 10.10.2019, which was accepted by order dated 03.06.2022 and police was directed to conduct further investigation, where after supplementary chargesheet was filed on 06.09.2024. He submits that petitioner has deliberately suppressed the aforesaid facts and has not placed such documents on record and an application under Section 340 Cr. PC has since been filed today by respondent No. 2, but the same is not part of the digital record.

4. Mr. Mathur, Ld. Senior Counsel for the petitioner states that petitioner was not aware of such facts, inasmuch as, he had applied for the certified copy of the record, but no such copy was supplied to the petitioner. He seeks permission to withdraw the present petition with liberty to file the fresh petition.

5. The submissions made by both sides are taken on record. Admittedly copy of protest petition, the order dated 03.06.2022 and the supplementary chargesheet dated 06.09.2024 are not part of the digital record. In view of the statement made under instruction by Ld. Senior Counsel, the petition is dismissed as withdrawn with liberty as prayed for.

RAVINDER DUDEJA, J

AUGUST 4, 2025/gs/ak