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

+ **CRL.REV.P. 327/2016 & CRL.M.A. 7083/2016**

NARCOTICS CONTROL BUREAU

.....Petitioner

Through: None

versus

ATHAR PARVEZ & ORS

.....Respondents

Through: Mr. Vidit Anand, Advocate

CORAM:

HON'BLE MR. JUSTICE CHANDRA DHARI SINGH

ORDER

22.01.2025

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1. The instant petition under Sections 397 and 401 read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (earlier Section 482 of the Code of Criminal Procedure, 1973) has been filed on behalf of the petitioner seeking the following reliefs:

“In view of the aforesaid facts and circumstances, it is, therefore, most respectfully prayed that this Hon'ble Court may be pleased to set aside the impugned order dated 28.01.2016 as well as consequent upon framing of charges on the same date i.e. 28.01.2016 passed by the Ld. Trial Court of Shri Deepak Garg, Special Judge, NDPS Cases, New Delhi, and further to accept the present criminal revision petition filed by the petitioner with costs through-out, thereby directing framing of charges against all the respondents jointly and severally under sections 22(c), 25- A and 29 of the NDPS Act, in the interest of justice.

Such other or further orders as this Hon'ble Court may deems fit and proper in the facts and circumstances of the present



case be also passed in favour of the petitioner and against the respondents to meet the ends of justice.”

2. No one appeared on behalf of the petitioner-NCB.
3. Mr. Vidit Anand, learned counsel appearing on behalf of the respondent no. 1 submitted that vide order dated 13th July, 2024 passed by the learned ASJ, the respondents herein i.e., Athar Pervej and Viqar Ahmed has been acquitted and the Coordinate Bench of this Court has relied on the same fact in holding the petition filed for cancellation of bail infructuous in the instant matter vide order dated 8th August, 2024.
4. In view of the above submission advanced on behalf of the respondents, nothing survives for further adjudication in the matter.
5. Accordingly, the instant petition stands disposed of as nothing survives for further adjudication in the matter.

CHANDRA DHARI SINGH, J

JANUARY 22, 2025
gs/mk

[Click here to check corrigendum, if any](#)