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

+ **W.P.(CRL) 1304/2026**

BIRESHWAR BHATTACHARYA

.....Petitioner

Through: Ms. Amita Gupta with Mr. Sunil
Kumar Verma and Mr. Abhay Kumar,
Advocates

versus

THE STATE (N.C.T. OF DELHI) & ORS.

.....Respondents

Through: Mr. Sanjay Lao, Standing Counsel
(Crl.) with SI Sumeet Punia, PS Vivek
Vihar.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

23.04.2026

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1. Petitioner herein had filed a complaint under Section 200 Cr.P.C. and, while filing the complaint, he also moved an application under Section 156(3) Cr.P.C. His such application moved under Section 156(3) Cr.P.C. was dismissed by learned Trial Court on 20.03.2025. However, he was granted opportunity to lead pre-summoning evidence.
2. Fact, however, remains that the abovesaid order was challenged by the petitioner by filing a revision and his such revision petition has also been dismissed by the learned Court of Sessions on 03.04.2025.
3. Such order is under challenge.
4. However, after hearing arguments for some time, learned counsel for the petitioner, without prejudice to his rights and contentions, does not press the present petition. He submits that since the complaint is old and



considerable time has already elapsed, learned Trial Court, which is seized with the recording of pre-summoning evidence, be requested to record the same, as expeditiously as possible.

5. In view of the above, the present petition is disposed of, as not pressed.

6. All rights and contentions of the parties are reserved.

7. The complaint is, reportedly, listed tomorrow i.e. 24.04.2026 before the learned Trial Court for recording of pre-summoning evidence. Learned Trial Court is requested to record pre-summoning evidence, as expeditiously as possible.

8. Needless to say, complainant would provide requisite assistance and cooperation to learned Trial Court and would produce his witnesses before learned Trial Court as per the directions of the learned Trial Court and would not seek any unnecessary adjournment in the matter.

MANOJ JAIN, J

APRIL 23, 2026

st/js