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

+ **W.P.(CRL) 3626/2024**

KULBIR SINGH UBEROI AND ORS.

.....Petitioners

Through: Mr. A.S. Chandhiok, Sr. Advocate
with Mr. Bhagat Singh, Mr. Tanpreet
Gulati, Mr. Keshav Sehgal and Mr.
Harkirat Singh, Advocates.

versus

STATE GOVT. OF NCT OF DELHI AND ORS.Respondents

Through: Ms. Rupali Bandhopadhyaya, ASC for
the State.
Mr. Dhruv Gupta, Advocate for R-2 to
R-4.
Mr. Shivek Trehan and Mr. Akash
Chandna, Advocates for R-5.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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22.05.2026

CRL.M.A. 16597/2026

By way of the present application filed under section 528 of the Bharatiya Nagarik Suraksha Sanhita 2023, the petitioners/applicants seek withdrawal of the present petition *subject to* orders being passed in CRL.M.A. No. 20854/2024 in W.P. (Crl.) No.1865/2023, which matter is pending before a Co-ordinate Bench.

2. Mr. A.S. Chandhiok, learned senior counsel appearing for the petitioner submits, that if the petitioner prevails in the proceedings in



W.P. (Crl.) No.1865/2023, the present petition would be rendered infructuous; and that accordingly, the petitioners do not wish to press the prayers in the present proceedings as long as the said petition is pending before the Co-ordinate Bench.

3. Mr. Shivek Trehan, learned counsel who is present on behalf of the respondent No. 5 (Jaspal Singh Sawhney), submits that the said respondent has been needlessly impleaded in the present matter on completely baseless allegations made against him; and that if the petitioners withdraw the present proceedings at this stage but reinstate them subsequently, respondent No. 5 would be harassed yet again.
4. In view of the concern expressed on behalf of respondent No. 5, Mr. Chandhiok submits, that the petitioners are willing to drop respondent No. 5 from the array of parties in the present proceedings, with a further assurance that if the petitioners again approach this court for the same relief as prayed-for in the present proceedings, respondent No. 5 will not be impleaded as a party-respondent.
5. Mr. Trehan submits, that subject to the aforesaid assurance, respondent No.5 does not object to the withdrawal of the present petition.
6. Accordingly, respondent No. 5 is deleted from the array of party respondent.
7. For completeness of the paperwork, let an amended memo of parties be filed by the petitioners within 01 week.
8. The application is accordingly allowed, with liberty as prayed-for and subject to the petitioners 'assurance that respondent No. 5 will not be



impleaded if a petition comes to be filed afresh by the petitioners seeking the same relief as in the present matter.

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9. The petition is disposed-of as withdrawn, subject to aforementioned assurance.
10. Pending applications, if any, are also disposed-of.
11. The date of 17.09.2026, given earlier, stands cancelled.

ANUP JAIRAM BHAMBHANI, J

MAY 22, 2026/hb