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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 1914/2024, CRL.M.A. 7331/2024 (Stay), CRL.M.A. 7333/2024 (Seeking documents from R-2 / Appropriate orders) & CRL.M.A. 7334/2024 (Trial court record/ appropriate orders)

TUSHAR RANJAN MOHANTY Petitioner

Through: Petitioner in person.

versus

STATE (NCT OF DELHI) & ANR. Respondents

Through: Mr. Hemant Mehla, APP for State with SI Satyender P.S. Tilak Nagar. Mr. Amit Tiwari, Adv. with Mr. Chetanya Puri, Adv. for UOI.

CORAM:
HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **07.03.2024**

CRL.M.A. 7332/2024 (Exemption)

1. Exemption allowed, subject to just exceptions.
2. The application is accordingly disposed of.

CRL.M.C. 1914/2024, CRL.M.A. 7331/2024 (Stay), CRL.M.A. 7333/2024 (Seeking documents from R-2 / Appropriate orders) & CRL.M.A. 7334/2024 (Trial court record/ appropriate orders)

3. The present petition under Section 482 read with Section 95 of the Cr.P.C. seeks the following prayers:-

“IN THE FACTS AND CIRCUMSTANCES OF THE CASE MENTIONED ABOVE, AND IN THE INTEREST OF JUSTICE AND FAIR PLAY, THE PETITIONER MOST RESPECTFULLY PRAYS THAT THIS HON'BLE COURT



MAY BE GRACIOUSLY PLEASED:

- (i) to summon the original documents/records/information mentioned in the present Petition, including the Police Case Dairy, from the Court of Learned Metropolitan Magistrate, New Delhi;
- (ii) to admit and allow the present Petition;
- (iii) to quash and set aside the Order dated 01.05.2023 of Learned Metropolitan Magistrate [Annexure: P-3] in the Application for Discharge of the Petitioner, only to the extent it does not discharge the Petitioner from the remaining charges under Sections 341 of the Indian Penal Code, 1860, as illegal and nonest in law;
- (iv) to also quash and set aside the Charge-Sheet filed by the Prosecution against the Petitioner before the Learned Metropolitan Magistrate in FIR No. 137 of 2015 of Tilak Marg Police Station [Annexure : P-2] as illegal and non-est in law and also quash and set aside the remaining charges under Sections 341 of the Indian Penal Code, 1860 against present Petitioner in the Charge-Sheet arising out of FIR No. 137 of 2015 of Tilak Marg Police Station, New Delhi-110002;
- (v) to further quash and set aside FIR No. 137 of 2015 of Tilak Marg Police Station, New Delhi-110002 [Annexure : P-1] as illegal and non-est in law and also quash and set aside the remaining charges under Sections 341 of the Indian Penal Code, 1860; and (vi) to issue any such and further order/directions this Hon'ble Court deems fit and proper in the facts and circumstances of the case.”

4. Issue notice.
5. Learned APP accepts notice on behalf of the State and the learned counsel accepts notice on behalf of UOI.
6. Notice be issued to the complainant Mr. D.K. Sharma, returnable for 24.04.2024.

AMIT SHARMA, J

MARCH 7, 2024/nk