

Gaurav Kataria And Anrs vs The State Nct Of Delhi And Anrs on 11 January, 2024

Author: Manoj Kumar Ohri

Bench: Manoj Kumar Ohri

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IN THE HIGH COURT OF DELHI AT NEW DELHI
CRL.M.C. 5857/2023, CRL.M.A. 22066/2023

GAURAV KATARIA AND ANRS

Through: Mr. Lalit Yadav, Ad

ve

THE STATE NCT OF DELHI AND ANRS

Through: Mr. Sanjeev Sabha
State.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI
ORDER

% 11.01.2024

1. Let an appropriate affidavit of respondent Nos. 2 and 3 be placed on record.

2. Renotify on 28.02.2024.

MANOJ KUMAR OHRI, J JANUARY 11, 2024 ga This is a digitally signed order. The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above. The Order is downloaded from the DHC Server on 25/01/2024 at 07:07:51 \$~3 * IN THE HIGH COURT OF DELHI AT NEW DELHI FARZANA KHATOON Petitioner Through: Mr. Pankaj Srivastava, Advocate.

versus MEHROOM @ MUSTAKIM & ORS. Respondents Through: Mr. Sanjeev Sabharwal, APP for State with SI Ashish Kumar, P.S. Okhla CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI ORDER % 11.01.2024

1. Learned counsel for the petitioner seeks an adjournment.

2. At request, renotify on 21.03.2024.

MANOJ KUMAR OHRI, J JANUARY 11, 2024 ga This is a digitally signed order. The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above. The Order is downloaded from the DHC Server on 25/01/2024 at 07:07:51 \$~4 * IN THE HIGH COURT OF DELHI AT NEW DELHI + CRL.M.C. 7556/2023, CRL.M.A. 28115/2023 GOVIND CHAUDHARY Petitioner Through: Mr.Shashank Shekhar Jha, Advocate.

versus STATE OF NCT DELHI AND ORS Respondents Through: Mr. Laksh Khanna, APP for State with ASI Harswaroop, P.S. Burari.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI ORDER % 11.01.2024 Issue fresh notice to the respondent Nos. 2 to 4 through the concerned Investigating Officer, returnable on 08.04.2024.

MANOJ KUMAR OHRI, J JANUARY 11, 2024 ga This is a digitally signed order. The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above. The Order is downloaded from the DHC Server on 25/01/2024 at 07:07:51 \$~5 * IN THE HIGH COURT OF DELHI AT NEW DELHI + CRL.M.C. 7557/2023, CRL.M.A. 28116/2023 NEETU CHAUDHARY Petitioner Through: Mr.Shashank Shekhar Jha, Advocate.

versus STATE OF NCT DELHI & ORS. Respondents Through: Mr. Laksh Khanna, APP for State with ASI Harswaroop, P.S. Burari.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI ORDER % 11.01.2024 Issue fresh notice to the respondent Nos. 2 to 4 through the concerned Investigating Officer, returnable on 08.04.2024.

MANOJ KUMAR OHRI, J JANUARY 11, 2024 ga This is a digitally signed order. The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above. The Order is downloaded from the DHC Server on 25/01/2024 at 07:07:52 \$~40 * IN THE HIGH COURT OF DELHI AT NEW DELHI MS. P. Y. Petitioner Through: Ms. Tara Narula and Mr. Harshvardhan Jain, Advocates.

versus STATE OF (NCT OF DELHI) & ANR. Respondents Through: Mr. Ritesh Kumar Bahri, APP for State Mr. K.P. Singh Kandola, Mr. Robin Bhardwaj and Ms. Vandana Bhanot, Advocates for respondent No.2.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI ORDER % 11.01.2024

1. By way of present petition, petitioner has challenged the order dated 24.12.2022 passed by learned Sessions Judge whereby respondent No.2 was admitted to anticipatory bail in FIR No. 598/2022 registered under Sections 328/376/506/313 IPC at Police Station K.N. Katju Marg.

2. Learned counsel for the petitioner contends that while passing the impugned order, the learned Sessions Court had not taken into consideration the nature of allegations as well as the severity of the offence. The impugned order has been passed only on account of the fact that the accused had joined the investigation and had cooperated in the same by handing over his phone and further that no custodial interrogation was demanded by the Investigating Officer.

This is a digitally signed order. The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above. The Order is downloaded from the DHC Server on 25/01/2024 at 07:07:52

3. Mr. Bahri, learned APP for the State as well as learned counsel for respondent No.2 have however, defended the impugned order by stating that complainant/petitioner, on her own accord, stayed with respondent No.2/accused in a live-in relationship. Learned APP informs that the charge-sheet has been filed thereby adding Sections 323/377 IPC on the basis of the subsequent statement of the complainant. It is also informed that the mobile phone seized during the investigation is lying deposited with the FSL and the report is yet to come.

4. I have heard the learned counsels for the parties and also gone through the material placed on record as well as the charge-sheet handed over in Court.

5. The FIR came to be registered on 17.11.2022 wherein the complainant had stated that she came in contact with the accused on 17.10.2019 when she joined M.D. City Hospital, Model Town as staff nurse. The first allegation relates to the incident dated 17.10.2019 when the accused sent an SMS stating that he liked the complainant. As per the complainant, she also accompanied the accused to Sun Rise Hotel, Sector - 15, Rohini when he expressed his intention to marry her and offered her juice. After consuming the juice, she lost control whereafter the accused made physical relations with her against her wishes. She also stated that the accused had taken obscene photographs of her. The FIR is replete with incidents when consensual physical relations were established time and again in Delhi and outside. The complainant admitted to be in a live-in relationship with the accused from 2019 till 2022.

6. At the time of the registration of FIR, the complainant had disclosed her age as 30 years. Accused was also stated to be 29 years of age This is a digitally signed order. The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above. The Order is downloaded from the DHC Server on 25/01/2024 at 07:07:52

7. The complainant alleged that she became pregnant on multiple times, which was later aborted. A perusal of the chargesheet would show that during the investigation, Section 91 notice was given to the complainant to provide documents in support of her allegations relating to abortion as well as clothes worn at the time of the incident, to which the complainant replied that she had no material available.

8. Considering that the complainant was mature enough being around 28 years of age at the time of the first incident and also the fact that the live-in relationship between her and the accused spread over a period of more than three years, I find no ground to interfere with the impugned order. Consequently, present petition is dismissed.

9. Needless to state that the observations made hereinabove are for the purpose of this petition only and shall have no bearing on the trial MANOJ KUMAR OHRI, J JANUARY 11, 2024 ga This is a digitally signed order. The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above. The Order is downloaded from the DHC Server on 25/01/2024 at 07:07:52 \$~41 * IN THE HIGH COURT OF DELHI AT NEW DELHI + CRL.M.C. 2165/2023, CRL.M.A. 8170/2023 PARAKH SADH Petitioner Through: Mr. Satyendra Kumar, Ms. Sunita Bhardwaj and Mr. Shivam Birt, Advocates with petitioner in person.

SONALI SADH

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI ORDER % 11.01.2024

1. Learned counsel for the petitioner, on instructions from the petitioner who is present in Court, submits that a further sum of Rs.50,000/- will be paid to the respondent within a period of four weeks from today.

2. List on 16.04.2024.

3. In the meantime, parties shall file their bank statements as well as credit card statements, if any, for the last three years with an advance copy to the other side. Reply, if any, be also filed.

MANOJ KUMAR OHRI, J JANUARY 11, 2024 ga This is a digitally signed order. The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above. The Order is downloaded from the DHC Server on 25/01/2024 at 07:07:52 \$~42 * IN THE HIGH COURT OF DELHI AT NEW DELHI + CRL.M.C. 2194/2023, CRL.M.A. 8279/2023 PARUL KAPOOR Petitioner Through: Mr. Kunal Kher, Advocate.

versus STATE OF NCT OF DELHI & ANR. Respondents Through: Mr. Laksh Khanna, APP for

State SI Robin Khatana, P.S. Moti Nagar.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI ORDER % 11.01.2024

1. Fresh steps be taken to serve the respondent No.2 through all permissible modes including through the concerned SHO.
2. Renotify on 23.04.2024.
3. Interim orders to continue.

MANOJ KUMAR OHRI, J JANUARY 11, 2024 ga This is a digitally signed order. The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above. The Order is downloaded from the DHC Server on 25/01/2024 at 07:07:52 \$~43 * IN THE HIGH COURT OF DELHI AT NEW DELHI + CRL.M.C. 2195/2023, CRL.M.A. 8281/2023 DEEPIKA MONGA Petitioner Through: Mr. Kunal Kher, Advocate.

versus STATE OF NCT OF DELHI & ANR. Respondents Through: Mr. Laksh Khanna, APP for State SI Robin Khatana, P.S. Moti Nagar.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI ORDER % 11.01.2024

1. Fresh steps be taken to serve the respondent No.2 through all permissible modes including through the concerned SHO.
2. Renotify on 23.04.2024.
3. Interim orders to continue.

MANOJ KUMAR OHRI, J JANUARY 11, 2024 ga This is a digitally signed order. The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above. The Order is downloaded from the DHC Server on 25/01/2024 at 07:07:52 \$~44 * IN THE HIGH COURT OF DELHI AT NEW DELHI + CRL.M.C. 2276/2023, CRL.M.A. 8590/2023 TARUN KAPOOR Petitioner Through: Mr. Kunal Kher, Advocate.

versus STATE OF NCT OF DELHI & ANR. Respondents Through: Mr. Laksh Khanna, APP for State SI with Robin Khatana, P.S. Moti Nagar. CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI ORDER % 11.01.2024

1. Fresh steps be taken to serve the respondent No.2 through all permissible modes including through the concerned SHO.

2. Renotify on 23.04.2024.

MANOJ KUMAR OHRI, J JANUARY 11, 2024 ga This is a digitally signed order. The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above. The Order is downloaded from the DHC Server on 25/01/2024 at 07:07:52 \$~45 * IN THE HIGH COURT OF DELHI AT NEW DELHI + CRL.M.C. 2277/2023, CRL.M.A. 8592/2023 DEEPANSHU MONGA Petitioner Through: Mr. Kunal Kher, Advocate.

versus STATE OF NCT OF DELHI & ANR. Respondents Through: Mr. Laksh Khanna, APP for State SI Robin Khatana, P.S. Moti Nagar.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI ORDER % 11.01.2024

1. Fresh steps be taken to serve the respondent No.2 through all permissible modes including through the concerned SHO.

2. Renotify on 23.04.2024.

MANOJ KUMAR OHRI, J JANUARY 11, 2024 ga This is a digitally signed order. The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above. The Order is downloaded from the DHC Server on 25/01/2024 at 07:07:52 \$~46 * IN THE HIGH COURT OF DELHI AT NEW DELHI RATAN LAL SONI Petitioner Through: None.

versus NCT OF DELHI & ANR. Respondents Through: Mr. Ritesh Kumar Bahri, APP for with State SI Pardeep Malik, P.S. Lajpat Nagar.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI ORDER % 11.01.2024

1. Present none for the petitioner.

2. As per the office report, process fee has not been filed. However, adverse orders are deferred.

3. Renotify on 06.05.2024.

4. In the meantime, petitioner shall positively take steps to serve respondent No.2 before the next date of hearing.

MANOJ KUMAR OHRI, J JANUARY 11, 2024 ga This is a digitally signed order. The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above. The Order is downloaded from the DHC Server on 25/01/2024 at 07:07:52 \$~47 * IN THE HIGH COURT OF DELHI AT NEW DELHI NIKHIL GOEL Petitioner Through: Mr. Shafiq Khan, Advocate.

versus THE REGISTRAR OF COMPANIES & ANR. Respondents Through: Mr. Ajay Digpaul, Ms. Ishita Pathak and Mr. Kamal Digpaul, Advocates.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI ORDER % 11.01.2024

1. Learned counsel for the petitioner does not wish to file a rejoinder.
2. List for consideration on 10.04.2024.

MANOJ KUMAR OHRI, J JANUARY 11, 2024 ga This is a digitally signed order. The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above. The Order is downloaded from the DHC Server on 25/01/2024 at 07:07:52 \$~48 * IN THE HIGH COURT OF DELHI AT NEW DELHI RAJESH AND OTHERS Petitioners Through: Mr. Rahul Sharma, Mr. Tushar Randhawa and Mr. Mohit Singh, Advocates.

versus STATE (NCT OF DELHI) AND ANR. Respondents Through: Mr. Laksh Khanna, APP for State with ASI Anil Kumar, P.S. Ranhola, Delhi.

Respondent No.2 in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI ORDER % 11.01.2024

1. Learned APP for the State submits that there are other injured/victims who have not been impleaded as party in the present petition.
2. Learned counsel for the petitioner seeks time to file amended memo of parties as well as the requisite affidavit of other injured/victim persons.
3. Respondent No.2, who is present in Court and has been identified by the Investigating Officer, submits that she has sworn an affidavit stating that she has no objection to the quashing of the FIR, copy of which has also been placed on record.
4. List on 07.02.2024.

5. Respondent No.2 may not appear in Court on the next date of hearing.

MANOJ KUMAR OHRI, J JANUARY 11, 2024/ga This is a digitally signed order. The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above. The Order is downloaded from the DHC Server on 25/01/2024 at 07:07:52 \$~49 * IN THE HIGH COURT OF DELHI AT NEW DELHI + CRL.M.C. 3439/2023, CRL.M.A. 12934/2023 BHUPESH SHARMA AND ANR. Petitioners Through: Mr. Mukesh Hooda, Mr. Prashant Hooda and Mr. KP Solanki, Advocates.

versus THE STATE OF NCT DELHI AND ANR. Respondents Through: Mr. Nawal Kishore Jha, APP for State with SI Abhishek, P.S. Khajuri Khas. Mr. Gaurav Sharma, Standing Counsel with respondent No. 2 in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI ORDER % 11.01.2024 List for consideration on 03.05.2024.

MANOJ KUMAR OHRI, J JANUARY 11, 2024 ga This is a digitally signed order. The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above. The Order is downloaded from the DHC Server on 25/01/2024 at 07:07:52 \$~50 * IN THE HIGH COURT OF DELHI AT NEW DELHI + CRL.M.C. 3455/2023, CRL.M.A. 12990/2023 RAJ KUMAR GIRI ORS Petitioners Through: Ms. Sarla Tanwar, Advocate.

versus STATE OF GNCT OF DELHI Respondent Through: Mr. Laksh Khanna, APP for State W/ASI Harvinder Kaur and SI Ekta, P.S. Dabri.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI ORDER % 11.01.2024

1. Parties, who are stated to be living together, are not present today.

2. Renotify on 01.03.2024.

MANOJ KUMAR OHRI, J JANUARY 11, 2024 ga This is a digitally signed order. The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above. The Order is downloaded from the DHC Server on 25/01/2024 at 07:07:52 \$~51 * IN THE HIGH COURT OF DELHI AT NEW DELHI HIMANSHU @ CHINTU & ANR. Petitioners Through: Mr. Polachan K.A., Advocate with petitioners in person.

versus STATE & ANR. Respondents Through: Mr. Sanjeev Sabharwal, APP for State SI Avanti, P.S. Sarai Rohilla.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI ORDER % 11.01.2024 List on 07.05.2024.

MANOJ KUMAR OHRI, J JANUARY 11, 2024 ga This is a digitally signed order. The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above. The Order is downloaded from the DHC Server on 25/01/2024 at 07:07:52 \$~52 * IN THE HIGH COURT OF DELHI AT NEW DELHI M Petitioner Through: Mr. Polachan K.A., Advocate with petitioners in person.

versus THE STATE OF NCT OF DELHI AND ANR. Respondents Through: Mr. Sanjeev Sabharwal, APP for State SI Avanti, P.S. Sarai Rohilla.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI ORDER % 11.01.2024 List on 07.05.2024.

MANOJ KUMAR OHRI, J JANUARY 11, 2024 ga This is a digitally signed order. The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above. The Order is downloaded from the DHC Server on 25/01/2024 at 07:07:52 \$~53 * IN THE HIGH COURT OF DELHI AT NEW DELHI PRADEEP SOLANKI Petitioner Through: Petitioner in person.

versus STATE AND ORS. Respondents Through: Mr. Laksh Khanna, APP for State CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI ORDER % 11.01.2024

1. Petitioner, who has joined the proceedings through V.C., seeks an adjournment on the ground that there is a bereavement in the family of his counsel.

2. Renotify on 08.05.2024.

3. In the meantime, steps be taken to serve the remaining respondents by all permissible modes, in terms of order dated 28.11.2023.

MANOJ KUMAR OHRI, J JANUARY 11, 2024 ga This is a digitally signed order. The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above. The Order is downloaded from the DHC Server on 25/01/2024 at 07:07:52 \$~54 * IN THE HIGH COURT OF DELHI AT NEW DELHI SUPREME INFRASTRUCTURE INDIA LTD. AND ORS.

..... Petitioner Through: Mr. Aditya Sharma, Mr. Manoj Rajpoot and Mr. Dushyant Sharma, Advocates.

versus STATE (NCT) OF DELHI AND ANR.

..... Respondent Through: Mr. Sanjeev Sabharwal, APP for State SI Kuldeep Yadav, P.S. Chanakya Puri.

Mr. Sanyat Lodha and Mr. Lavam Tyagi, Advocates.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI ORDER % 11.01.2024

1. Learned counsel for the petitioner submits that in pursuance to the settlement arrived at between the petitioner and respondent No.2, out of the remaining balance of Rs.1,10,00,000/-, a demand draft bearing No. 220166 dated 11.01.2024 for a sum of Rs.25 lacs drawn on AXIS Bank in favour of S.B. Hospital & Healthcare Pvt. Ltd. has been handed over to counsel for respondent No.2 today in Court.

2. List on 07.03.2024.

MANOJ KUMAR OHRI, J JANUARY 11, 2024 ga This is a digitally signed order. The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above. The Order is downloaded from the DHC Server on 25/01/2024 at 07:07:52 \$~55 * IN THE HIGH COURT OF DELHI AT NEW DELHI KAVITA TANWAR Petitioner Through: Mr. Ashutosh Kaushik and Mr. Rony John, Advocates with petitioner in person.

versus STATE GNCT OF DELHI & ANR. Respondents Through: Mr. Laksh Khanna, APP for State SI Akash, P.S. Okhla Indust. Area.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI ORDER % 11.01.2024 Issue notice to the respondent No.2 through the concerned Investigating Officer, returnable on 10.05.2024.

MANOJ KUMAR OHRI, J JANUARY 11, 2024 ga This is a digitally signed order. The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above. The Order is downloaded from the DHC Server on 25/01/2024 at 07:07:52 \$~56 * IN THE HIGH COURT OF DELHI AT NEW DELHI + CRL.M.C. 4249/2023, CRL.M.A. 15955/2023, CRL.M.A. AJAY KUMAR Petitioner Through: Mr. Ravindra Narayan, Mr. Ranjan Kumar, Ms. Manisha Tiwari and Mr. Madhav Narayan, Advocates.

versus STATE OF NCT OF DELHI & ANR. Respondents Through: Mr. Sanjeev Sabharwal, APP for State Insp. Sunil Kumar, DIU/South East Distt.

Mr. Tara Narula and Mr. Harshvardhan Jain, Advocates for respondent No.2.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI ORDER % 11.01.2024 List on 06.05.2024.

MANOJ KUMAR OHRI, J JANUARY 11, 2024 ga This is a digitally signed order. The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above. The Order is downloaded from the DHC Server on 25/01/2024 at 07:07:52 \$~57 * IN THE HIGH COURT OF DELHI AT NEW DELHI + CRL.M.C. 4265/2023, CRL.M.A. 16005/2023, CRL.M.A. VIVEK KUMAR Petitioner Through: Mr. Ravindra Narayan, Mr. Ranjan Kumar, Ms. Manisha Tiwari and Mr. Madhav Narayan, Advocates. versus STATE OF NCT OF DELHI & ANR. Respondents Through: Mr. Sanjeev Sabharwal, APP for State Insp. Sunil Kumar, DIU/South East Distt.

Ms. Aishwarya Rao, Advocate for respondent No.2.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI ORDER % 11.01.2024 List on 06.05.2024.

MANOJ KUMAR OHRI, J JANUARY 11, 2024 ga This is a digitally signed order. The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above. The Order is downloaded from the DHC Server on 25/01/2024 at 07:07:52 \$~58 * IN THE HIGH COURT OF DELHI AT NEW DELHI + CRL.M.C. 4474/2023, CRL.M.A. 17137/2023 VAIBHAV GOYAL Petitioner Through: Mr. Ram Kumar and Mr. Rajendra Singh, Advocates.

BHAVNA SADH

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI ORDER % 11.01.2024

1. Present none for the respondent.

2. List on 10.05.2024.

MANOJ KUMAR OHRI, J JANUARY 11, 2024 ga This is a digitally signed order. The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above. The Order is downloaded from the DHC Server on 25/01/2024 at 07:07:52 \$~59 * IN THE HIGH COURT OF DELHI AT NEW DELHI + CRL.M.C. 4894/2023, CRL.M.A. 18679/2023 AJAZ AHMAD Petitioner Through: Mr. Sitab Ali Chaudhary, Mr. Gufran Ali and Mr. Sadik, Advocates with petitioner in person.

versus STATE (GNCT OF DELHI) & ORS. & ORS. Respondents Through: Mr. Laksh Khanna, APP for State SI Manish Tyagi, P.S. Jamia Nagar.

Mr. M.N. Siddiqui, Advocate for respondent Nos. 2 and 3.

Ms. Gunjan Sinha Jain, Advocate for respondent No.4.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI ORDER % 11.01.2024 List on 13.05.2024.

MANOJ KUMAR OHRI, J JANUARY 11, 2024 ga This is a digitally signed order. The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above. The Order is downloaded from the DHC Server on 25/01/2024 at 07:07:52 \$~60 * IN THE HIGH COURT OF DELHI AT NEW DELHI + CRL.M.C. 5353/2023, CRL.M.A. 20295/2023 DHAN PRAKASH GUPTA Petitioner Through: Mr. Harmesh Kumar, Advocate.

REKHA MALIK

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI ORDER % 11.01.2024

1. As per office note, notice could not be issued for want of process fee.
2. On petitioner taking steps, fresh notice be issued to the respondent through all permissible modes, returnable on 02.05.2024.

MANOJ KUMAR OHRI, J JANUARY 11, 2024 ga This is a digitally signed order. The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown

above. The Order is downloaded from the DHC Server on 25/01/2024 at 07:07:52 \$~61 * IN THE HIGH COURT OF DELHI AT NEW DELHI + CRL.M.C. 5354/2023, CRL.M.A. 20297/2023 DHAN PRAKASH GUPTA Petitioner Through: Mr. Harmesh Kumar, Advocate versus VINOD MALIK Respondent Through: None.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI ORDER % 11.01.2024

1. As per office note, notice could not be issued for want of process fee.
2. On petitioner taking steps, fresh notice be issued to the respondent through all permissible modes, returnable on 02.05.2024.

MANOJ KUMAR OHRI, J JANUARY 11, 2024 ga This is a digitally signed order. The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above. The Order is downloaded from the DHC Server on 25/01/2024 at 07:07:53 \$~62 * IN THE HIGH COURT OF DELHI AT NEW DELHI + CRL.M.C. 5964/2023, CRL.M.A. 22377/2023 DIRECTORATE OF ENFORCEMENT Petitioner Through: Mr. Zoheb Hossain, SPP with Mr. Vivek Gurnani and Mr. Kartik Sabharwal, Advocates.

versus SURENDER KUMAR BANSAL Respondent Through: None.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI ORDER % 11.01.2024 List on 21.03.2024.

MANOJ KUMAR OHRI, J JANUARY 11, 2024 ga This is a digitally signed order. The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above. The Order is downloaded from the DHC Server on 25/01/2024 at 07:07:53 \$~63 * IN THE HIGH COURT OF DELHI AT NEW DELHI + CRL.M.C. 6246/2023, CRL.M.A. 23391/2023 DHARMENDRA YADAV Petitioner Through: Mr. Qamar Ali, Advocate.

SADANAND SINGH
Through:

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI ORDER % 11.01.2024

1. Issue fresh notice to the respondent through all permissible modes, returnable on 30.04.2024.

2. Interim orders to continue.

MANOJ KUMAR OHRI, J JANUARY 11, 2024 ga This is a digitally signed order. The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above. The Order is downloaded from the DHC Server on 25/01/2024 at 07:07:53 \$~76 * IN THE HIGH COURT OF DELHI AT NEW DELHI + CRL.M.C. 9542/2023, CRL.M.A. 35708/2023, CRL.M.A. RAJINDER SINGH YADAV Petitioner Through: Mr. Jasbir Singh Malik and Mr. Umesh Sharma, Advocates.

versus STATE OF GNCTD AND ANR. Respondents Through: Mr. Laksh Khanna, APP for State with Insp. Anurag, P.S. EOW.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI ORDER % 11.01.2024

1. The present proceedings are instituted under Section 482 Cr.P.C.

seeking quashing of FIR No. 93/2020 registered under Sections 420/406/468/471/120B IPC at Police Station Economic Offence Wing on the ground that the parties have amicably settled their disputes.

2. As per the allegations levelled in the FIR, complainant, who was a share-holder as well as director of M/s. Intelligent Instruments Private Limited., was interested in selling/transferring her shareholding in the aforesaid company. Accused/Rahul Kalsi approached the complainant for purchase of her shareholding for a total consideration of Rs. 12.20 crores and paid a sum of Rs.11 lacs. Accused Rahul Kalsi undertook to pay the balance amount in instalments by 04.12.2019. however, despite several request, accused persons did not pay the balance amount and thus cheated the complainant.

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3. Mr. Khanna, learned APP for the State apart from the present petitioner, there are two other accused persons qua whom the FIR already stands quashed vide order dated 04.12.2023 passed in CRL.M.C. 8793/2023.

4. Learned counsel for the petitioner submits that on 15.11.2023, a settlement took place before between Mediation Centre, District Courts, Gurgaon whereby the complainant and accused/Rahul Kalsi have settled all their pending disputes. It is further submitted that the petitioner's name was

initially kept in Column No. 12 in the FIR and that no charge-sheet has been filed.

5. Investigating Officer, who is present in Court, states that he informed the complainant about the pendency of present petition however, she has not responded.

6. Considering that vide order dated 15.12.2023 passed in CRL. M.C. 2305/2023, the complainant/respondent No. 2 had made a statement to the effect that she has no objection to the quashing of the FIR against present accused/petitioner as well as the fact that the FIR already stands quashed against the other co-accused persons namely Rahul Kalsi and Sahil Kalsi, the present FIR and the consequent proceeding emanating therefrom are quashed.

7. With the above directions, the petition is disposed of alongwith miscellaneous applications.

MANOJ KUMAR OHRI, J JANUARY 11, 2024 ga This is a digitally signed order. The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above. The Order is downloaded from the DHC Server on 25/01/2024 at 07:07:53 \$~86 * IN THE HIGH COURT OF DELHI AT NEW DELHI + CRL.M.C. 258/2024, CRL.M.A. 1036/2024, CRL.M.A. 1037/2024 RITU KAPOOR Petitioner Through: Mr. Anurag Jain, Advocate.

versus STATE GOVT. OF NCT OF DELHI Respondent Through: Mr. Sanjeev Sabharwal, APP for State Insp. Naveen Dhaiya, EOW.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI ORDER % 11.01.2024

1. By way of the present petition filed under section 482 Cr.P.C., the petitioner seeks quashing of summoning order dated 25.08.2022 passed by the learned LCMM, (East), KKD Court, Delhi in case FIR No. 244/2017 registered under Sections 406/409/420/506/509/120B/34 at P.S. Mayur Vihar-I/EOW and also quashing of supplementary charge-sheet No. 3 qua the petitioner filed by the CBI.

2. Mr. Anurag Jain, learned counsel appearing for the petitioner submits, that in chargesheet dated 05.07.2017 filed in the matter originally, the petitioner was put in column No. 12 with a specific remarks, appearing in para (xxv) thereof, that the petitioner "...was not the director of accused company, when investors were getting cheated and investing money in the company. She became director in the accused company on 21.03.2014". The charge sheet further stated that er role is still under probe and a This is a digitally signed order.

The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above. The Order is downloaded from the DHC Server on 25/01/2024 at 07:07:53 supplementary chargesheet would be submitted. Now, in the supplementary chargesheet, the petitioner has been impleaded as an accused without collecting any additional material.

4. Learned counsel has further invited attention to the order dated 15.03.2023 passed in Crl. M.C. No. 1749/2023 where in another chargesheet relating to FIR No. 189/2016, the proceedings against the petitioner have been stayed.

5. Issue notice.

6. Learned APP appears for the State accepts notice; and seeks time to file status report.

7. Let status report be filed within 4 weeks and response thereto, if any, be filed within 4 weeks thereafter; with copies to the opposing counsel.

8. Considering the aforesaid, further proceedings against the petitioner in FIR No. 244/2017 under Sections 406/409/420/506/509/120B/34 registered at P.S. Mayur Vihar-I/EOW pending before the learned Magistrate, shall remain stayed, till the next date of hearing before this court.

9. Re-notify on 23.01.2024.

MANOJ KUMAR OHRI, J JANUARY 11, 2024 ga This is a digitally signed order. The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above. The Order is downloaded from the DHC Server on 25/01/2024 at 07:07:53 \$~88 * IN THE HIGH COURT OF DELHI AT NEW DELHI + W.P.(CRL) 120/2024, CRL.M.A. 1024/2024 SHASHI BHUSHAN PANDEY AND ANR. Petitioners Through: Mr. S.P. Singh, Advocate.

versus THE STATE OF NCT OF DELHI AND ANR. Respondents Through: Mr. Yasir Rauf Ansari, ASC for State with SI Deepak, P.S. Burari.

Ms. Anupama Bhardwaj, SPP for respondent No.3.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI ORDER % 11.01.2024

1. Learned ASC for the State has taken a preliminary objection to the maintainability of the petition.

2. Learned counsel for the petitioners seeks time to take instructions.

3. Renotify on 12.02.2024.

MANOJ KUMAR OHRI, J JANUARY 11, 2024 ga This is a digitally signed order. The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above. The Order is downloaded from the DHC Server on 25/01/2024 at 07:07:53