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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 275/2023, CRL.M.A. 1117/2023 & CRL.M.A. 1118/2023
KAMAL KANT Petitioner
Through: Sh. Mir Akhtar Hussain, Adv.
versus

STATE (NCT OF DELHI) AND ORS. Respondents
Through: Ms. Priyanka Dalal, APP for State
with SI Saurabh Malik, PS Vijay
Vihar.

CORAM:
HON'BLE MR. JUSTICE ANISH DAYAL

% **ORDER**
17.01.2023

CRL.M.A. 1118/2023 (Exemption)

1. Exemption is allowed subject to all just exceptions.
2. Application is disposed of.

CRL.M.C. 275/2023

3. This petition has been filed to set aside the impugned order 10.02.2022 passed by the Ld. MM North West, Rohini Courts, in FIR No.91/2019 under Sections 307/324/34 IPC, PS Vijay Vihar, Delhi, dismissing the application of the petitioner under Section 173(8) Cr.P.C.
4. A perusal of the impugned order would reveal that the petitioners concern regarding the investigation having not accounted for the CCTV footage while filing their chargesheet (which would show that the petitioner was, in fact, the victim of assault by the complainants) has been taken care



of by the investigating agency since the FSL result is yet to be obtained regarding the CCTV footage and a supplementary chargesheet would be filed by the Investigating Officer pursuant to the same.

5. Issue notice.
6. Ld. APP accepts notice on behalf of the State.
7. Status Report be filed by the State before the next date of hearing.
8. In the meantime, the Ld. Trial court will account for the fact that a supplementary chargesheet is yet to be filed post receiving the FSL Report regarding the CCTV footage, in the proceedings before it.
9. List on 18.07.2023.
- 10.. Order be uploaded on the website of this Court.

ANISH DAYAL, J

JANUARY 17, 2023/kct