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

+ W.P.(CRL) 312/2019

YASHNA MEHTA & ANR ..... Petitioners

Through Petitioner no.1 in person

versus

STATE & ORS ..... Respondents

Through Ms. Shivani Sharma, Advocate for  
Ms. Richa Kapoor, Additional  
Standing Counsel for the  
State/Respondent no.1  
Mr. Rajeev Mehta, Senior  
Advocate with Mr. Chetan and Ms.  
Niti A. Sachar, Advocates for  
Respondent no.2

**CORAM:**  
**HON'BLE MR. JUSTICE BRIJESH SETHI**

**ORDER**

% **07.02.2020**

**Review Petition No. 58/2020**

This is an application under Section 482 of the Code of Criminal Procedure Act, 1973 seeking clarification/review of the order dated 17<sup>th</sup> January, 2020.

Petitioner no.1 has submitted that respondent no.2 had filed an application for early hearing on 8<sup>th</sup> January, 2020, which was disposed on 17<sup>th</sup> January, 2020. It is submitted by the petitioner no.1 that application dated 8<sup>th</sup> January, 2020, for early hearing, filed by respondent no.2

contains patently false and misleading statements. It is submitted that para nos. 3 and 4 of the order dated 17<sup>th</sup> January, 2020, which are the contents of the application dated 8<sup>th</sup> January, 2020 filed by respondent no.2 are essentially a summary of the contentions of respondent no.2 and the same are pending adjudication. It is submitted that the some of the contentions of the petitioners were also recorded, but the same were not being recorded exhaustively.

Petitioner no.1 has submitted that respondent no.2 has made certain submissions which are against the record. A petition for perjury stands registered against respondent no.2 on 27<sup>th</sup> November, 2018. Respondent no.2 had filed an application for review of the order dated 27<sup>th</sup> November, 2018, whereby a petition under Section 340 Cr.P.C. was dismissed against them. Thereafter, a writ petition was filed by respondent no.2 for challenging the dismissal of the review application and the registration of the petition under Section 340 Cr.P.C. which was dismissed as withdrawn on 5<sup>th</sup> November, 2019. It is submitted that the matter was listed before the learned Chief Metropolitan Magistrate, Central, Delhi on 15<sup>th</sup> January, 2020 and an early application was filed to delay the proceedings. It is submitted that non-attestation of the affidavit was not in accordance with law. It is submitted that it may be clarified that all the contentions raised by the petitioners are yet to be decided.

Heard. I have gone through the order dated 17<sup>th</sup> January, 2020. It was on an application for an early hearing. No legal issues were decided vide the said application. Both the parties are at liberty to address their submissions/contentions at the time of hearing of the case. It is clarified

that nothing stated in the said order dated 17<sup>th</sup> January, 2020, amounts to express of opinion on the merits of the case.

The application stands disposed of.

**W.P.(CRL) 312/2019**

List on 13<sup>th</sup> February, 2020, the date already fixed, before the Roster Bench.

Interim orders of 31<sup>st</sup> January, 2019 to continue.

**BRIJESH SETHI, J**

**FEBRUARY 07, 2020**

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