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

+ CRL.M.C. 2814/2023 & CRL.M.A. 10554/2023

RICK JOHN THAM YU XIAN

..... Petitioner

Through: Mr. Sandeep Sethi, Sr. Advocate with
Mr. Siddharth Aggarwal, Sr.
Advocate with Mr. S. Singh, Abhinav
Sekhui, Mr. Chandan Kumar, Mr.
Chinmay Chatterjee, Mr. V. Diwan,
Mr. Ipshita Aggarwal, Advocates.

versus

STATE OF NCT OF DELHI & ANR.

..... Respondents

Through: Ms. Richa Dhawan, APP for the State
with ACP M. Singh, PS : Eow.
Ms. Richa Dhawan, APP for the State
Mr. Saurabh Kripal, Senior Advocate
with Ms. Neeha Nagpal, Mr. Malak
Nagpal, Mr. Bani Dikshit, Mr. Achint
Gyani, Mr. Vishvendra Tomar, Mr.
Nikhi Arora, Advocates for R-2.

+ CRL.M.C. 2819/2023 & CRL.M.A. 10564/2023.

CHEW HAN WEI

..... Petitioner

Through: Mr. Sandeep Sethi, Sr. Advocate with
Mr. Siddharth Aggarwal, Sr.
Advocate with Mr. S. Singh, Abhinav
Sekhui, Mr. Chandan Kumar, Mr.
Chinmay Chatterjee, Mr. V. Diwan,
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Nikhi Arora, Advocates for R-2.



CORAM:
HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

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21.04.2023
CRL.M.A. 10554/2023 & CRL.M.A. 10564/2023

Exemptions allowed subject to just exceptions.

CRL.M.C. 2814/2023 & CRL.M.C. 2819/2023

1. These petitions have been filed for quashing of orders dated 23rd May 2022 by Ld. ACMM, Central Tis Hazari Courts in Criminal Case No. 10157/2020 taking cognizance of offences in the impugned final report dated 21st March 2022 emanating out from FIR No. 222 /2019, PS EOW and issue of summons consequently.
2. The learned Senior Counsels for the petitioners and the complainant have addressed arguments with respect to their respective contentions. This Court had passed an earlier order dated 3rd March 2023, where the background facts are briefly adverted to and further repetition is not necessitated.
3. In view of these facts and circumstances, notice has been accepted by the learned Senior Counsel for respondent No.2 who will file a reply before the next date of hearing. Learned APP for the State also accepts notice and will file a status report before the next date of hearing.

CRL.M.A. 10553/2023 & CRL.M.A. 10563/2023

1. By these applications, the petitioners seek interim stay of proceedings pursuant to the summoning of the petitioners in the aforementioned FIR. In view of the fact that the issue relates to allegations against the company 'RECL', it will be allocated for the time being that they are represented by an authorised representative in India and local counsel before the learned Trial Court for further proceedings.



2. At this stage, it may not be necessary to summon the petitioners by the learned Trial Court and therefore the summoning order dated 23rd May 2022 is stayed till the next date *qua* these petitions. As regards the other accused, the proceedings may go on.
3. The Learned Senior Counsel for the complainants has adverted to certain parts of the charge-sheet to contend that as regards the petitioner in CRL.M.C 2819/2023, certain allegations have been made which relate to him specifically and individually considering the conspectus of various facts, the complainant is at liberty to file reply in that regard.
4. List on 26th July 2023, the date already fixed in the matter.
5. Order be uploaded on the website of this Court.

ANISH DAYAL, J

APRIL 21, 2023/RK