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

+ **CRL.REV.P. 122/2025**

MALKEET SINGH GAIDU

.....Petitioner

Through: Mr. Raj Kamal, Ms. Stuti, Ms.
Muskan Sidana and Ms. Harneet
Singh, Advocates.

versus

STATE OF CHATTISGARH NAGARNAR, BASTAR

.....Respondent

Through: Mr. Yudhvair Singh Chauhan, APP for
State.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

03.04.2025

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CRL.M.A. 10161-62/2025 (Seeking Exemption)

1. Allowed, subject to just exceptions.
2. The Application stands disposed of.

CRL.REV.P. 122/2025 & CRL.M.A.10160/2025 & 10163/2025

1. Criminal Revision Petition under Section 438 BNSS has been filed on behalf of Mr. Malkeet Singh Gaidu (accused No.4) challenging the Order dated 18.01.2025 *vide* which the learned ASJ had directed framing of Charges against him.
2. It is contended that the S.P, Bastar had filed a Report in FIR No.104/2017 which is in the nature of Supplementary Chargesheet wherein he has confirmed that the Petitioner was not present at the scene of crime and has confirmed his presence elsewhere, despite which the learned ASJ has directed framing of Charges against the



Petitioner by observing that essentially what is stated in the Supplementary Chargesheet is a plea of *alibi* which is required to be proved during the trial.

3. **Learned Prosecutor on behalf of State of Delhi** has appeared and has taken a preliminary objection that Respondent is the State of Chattisgarh, which is required to be served. It is also pointed out that the concerned IO/S.P of this case is also required to be summoned since this case pertains to P.S. Nagarnar, Bastar which has been transferred to this Court by the Orders of Apex Court.

4. Learned counsel for the Petitioner seeks permission to amend the Memo of Parties to add State of NCT of Delhi as a party and also to serve Respondent No.1, State of Chattisgarh.

5. In view of the submissions made, the Amended Memo of Parties be filed within 10 days after which the Respondent No.1 and the also IO be served on filing PF by the Petitioner through ordinary post and electronic mode, returnable on 08.05.2025.

NEENA BANSAL KRISHNA, J

APRIL 3, 2025
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