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

+ **CRL.M.C. 3041/2024**

MANOJ KUMAR MISHRA & ORS. Petitioners

Through: Mr. Rudra Vikram Singh and Mr.
Tarshith Bhardwaj, Advs.

versus

STATE OF NCT OF DELHI & ANR. Respondents

Through: Mr. Raj Kumar, APP for State

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

23.04.2024

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CRL.M.A. 11729/2024

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

CRL.M.C. 3041/2024

3. The present petition has been filed seeking quashing of summoning order dated 07.10.2023 under Sections 341/395/506 of the Indian Penal Code, 1860 passed in CT Case No.11611/2018 whereby five accused persons namely Shri Vijay Kumar Gupta @ Vijay Kranti, Shri Ashok Malik, Shri K.N. Gupta, Shri Pramod Saini and Shri Manoj Mishra were summoned to stand trial for the said offences.
4. The present petition seeking quashing of the summoning order has been filed only by four petitioners whereas Shri Ashok Malik has not joined as petitioner.
5. On oral request of the learned counsel for the petitioner, Mr. Ashok



Malik is arrayed as respondent no.3 in the present petition. Let amended memo of parties be filed within a period of one week.

6. Issue notice. Learned APP accepts notice on behalf of the respondent State.

7. Mr. Rakesh Thapliyal, the Secretary of the respondent no.2 Union accepts notice on behalf of respondent no.2.

8. On petitioner taking steps, issue notice to respondent no.3 i.e. Shri Ashok Malik, at his address - 3456, Sai Enclave, Sector-49D, Chandigarh-160047 (Mobile 9814640774), returnable on 04.09.2024.

9. The petitioners no.1 to 3 are present in Court. They affirm the factum that the parties have arrived at a settlement. The Secretary of the complainant Union, on a query put by the Court, states that the respondent no.2/complainant does not have objection in case the summoning order is quashed.

10. The petitioner no.4 has joined through VC. The personal presence of the petitioners as well as the Secretary of the respondent no.2 is exempted for the subsequent dates.

11. Considering the fact that the complainant has arrived at a settlement with four of the accused persons, the trial proceedings emanating from CT Case No.11611/2018 pending in the Court of Shri Yashdeep Chahal, MM-01, Patiala House Courts, New Delhi, are stayed till the next date.

VIKAS MAHAJAN, J

APRIL 23, 2024/ns