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

+ W.P.(CRL) 2341/2021

COL. ASHISH KHANNA, SM RETD Petitioner

Through: Petitioner in person.

versus

STATE OF NCT DELHI AND OTHERS

..... Respondent

Through: Ms. Nandita Rao, ASC for State with
Mr. Amit Peswani, Adv. Insp.
Ravinder Sector-II / EOW
Mr. Abhyuday Sharma, Adv. for R2
Mr. Prateek Kumar, Ms. Prateek Rai
and Ms. Apeksha Dhanvijay, Advs.
for R3

**CORAM:
HON'BLE MR. JUSTICE VIKAS MAHAJAN**

ORDER

% **28.05.2024**

CRL.M.A. 16741/2024 (for registration of FIR by CBI)

1. The present application has been filed seeking following relief:

“A. Direct for registration of FIR by the CBI, as prayed in unopposed M.A.-1353/2022 and 10450/2024”

2. The learned ASC for the State, appearing on advance notice, submits that the main petition has been filed by the petitioner seeking quashing of FIR registered against him. The present application seeking relief of registration of FIR by the CBI at the instance of the petitioner is not



maintainable in the present case.

3. He further submits that an application being CRL. M.A. No. 1353/2022 has already been filed by the petitioner wherein identical relief has been sought. The attention of the Court is invited to the prayer clause of the said application, which reads as under:

*“(a) Allow the present application and take on record the above facts / submissions supported by the documents.
(b) Pass directions for a CBI enquiry in the Delhi Gymkhana ongoing frauds and to register FIR against the Delhi Gymkhana Club on the charges of Corruption, fraud, cheating, etc.”*

4. When the relief prayed in the present application is juxtaposed with the relief sought in CRL.M.A. 1353/2022, it appears that identical relief has been sought in the said application which is still pending.

5. In view of the above, the present application is not maintainable and the same is dismissed.

VIKAS MAHAJAN, J

MAY 28, 2024
N.S. ASWAL