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

+ CRL.REV.P. 24/2022

PRAVEEN SHARMA

..... Petitioner

Represented by: Mr. Yogesh Swaroop, Adv.

versus

STATE OF NCT OF DELHI & ANR.

..... Respondent

Represented by: Mr. Tarang Srivastava, APP for State.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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13.01.2022

The hearing has been conducted through Video Conferencing.

CRL.M.A. 660/2022

CRL.M.A. 661/2022

Exemptions allowed subject to just exception.

CRL.REV.P. 24/2022

CRL.M.A. 659/2022 (condonation of delay of 186 days)

CRL.M.A. 662/2022 (stay)

1. By this petition the petitioner challenges the order dated 29th November, 2019 passed by the learned ASJ whereby the order summoning the respondents 2 and 3 was set aside by the learned ASJ remanding back the matter to the learned Trial Court for examining Dr. Firdous Malik or any other witness, if so deemed necessary, and thereafter pass a speaking order after hearing the parties afresh.

2. As per the impugned order it is evident that Dr. Mudit Gupta was a

CRL.REV.P. 24/2022

Page 1 of 2



Nephrologist and was called as one of the consultant for the reason the deceased patient had renal problems and was on dialysis and he was mentioned as a consultant in one of the many documents; whereas the surgery was performed by Dr. Dinesh Ratnani who has filled the operational notes in his own hand-writing and the consent form also bears the signature of Dr. Dinesh Ratnani.

3. Learned counsel for the petitioner seeks some time to place on record documents to show that Dr. Mudit Gupta who was a Nephrologist performed the surgery of the deceased, which only a neuro-surgeon could have performed.

4. At request, renotify on 11th April, 2022.

5. Order be uploaded on the website of this Court.

MUKTA GUPTA, J.

JANUARY 13, 2022

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