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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 9199/2023**

ANUPAM AGGARWAL AND ANR. Petitioners
Through: Mr. Pramod Kumar and Mr. Anurag,
Advocates.

versus

THE STATE NCT OF DELHI AND ANR. Respondents
Through: Mr. Aashneet Singh, APP for State
with SI Mohit Malik, P.S. Saket.

CORAM:
HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

% **ORDER**
29.01.2024

CRL.M.A. 34376/2023

1. Allowed, subject to all just exceptions.
2. Application is disposed of.

CRL.M.C. 9199/2023, CRL.M.A. 34375/2023

1. By way of present petition filed under Section 482 Cr.P.C., the petitioners seek quashing of FIR No. 138/2018 registered under Sections 33/52(2) of Delhi Excise Act at P.S. Saket as well as the consequent proceedings emanating therefrom.
2. Learned counsel for the petitioners states that the petitioners are directors of one *M/s Primemover Mobility Technologies Pvt. Ltd.* The said company is involved in the business of providing commercial self driven cab services throughout India on commercial basis under the name and style "Revv" to its clients. It is submitted that a client can approach the company



by logging into the 'APP' and a cab would be provided on rent for the duration as asked by the client. Learned counsel submits that in the present case, one such cab was provided to *Amit Kumar* from 13th to 15th March, 2018 on receipt of rental amount. During the said period, *Amit Kumar* was found involved in a case under the Delhi Excise Act. After investigation, the charge-sheet was filed keeping the names of the petitioners in Column 12 however, learned Magistrate, without any application of mind, has taken the cognizance of the offence against the present petitioners also.

3. Issue notice.
4. Learned APP for the State accepts notice for respondent No.1 and seeks time to file Status Report.
5. On petitioners taking steps, notice be issued to respondent No.2 through all permissible modes.
6. Renotify on 10.05.2024.
7. In the meantime, proceedings against the petitioners shall remain stayed.

MANOJ KUMAR OHRI, J

JANUARY 29, 2024

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