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

+ TEST.CAS. 51/2010 and CRL.M.A. 13002/2013, I.A. 12721/2013, I.A. 7906/2016, I.A. 22473/2023, I.A. 23257/2023, I.A. 2421/2024, I.A. 29712/2024, I.A. 41709/2024

MANU MARKANDE & ANR

.....Petitioner

Through: Mr. Rajiv Aneja, Adv.
versus

THE STATE & ORS

.....Respondent

Through: Mr. Nitesh Kumar Singh and Mr. Devender Singh, Advs for R-2 to 5.

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+ TEST.CAS. 46/2012 and CRL.M.A. 13059/2013

SUDESH KHANNA & ORS

.....Petitioner

Through: Mr. Nitesh Kumar Singh and Mr. Devender Singh, Advs.

versus

STATE & ORS.

.....Respondent

Through: Mr. Rajiv Aneja, Adv. for R-2&3.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

ORDER

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17.01.2025

1. In view of the discrepancies pointed out by the learned counsel for the petitioner in TEST.CAS. 51/2010 with respect to the various pleadings and the assertions made by the respondents in the application under Section 148 of the Code of Civil Procedure, 1908, the Court calls upon respondent no.4



in TEST.CAS. 51/2010 to explain as to on what date respondent no.4 actually had traveled to Canada.

2. The aforesaid clarification was required in view of the apparent inconsistent stand taken by the said respondent in this application and rejoinder.

3. Learned counsel appearing for respondent no.4 submits that as per Canadian Laws, the passport holder has to surrender the earlier passport, in case the same is renewed.

4. Learned counsel for respondent no.4 further submits that the latest passport to Mr. Ajay Sharma was issued on 06.12.2016 itself and, therefore, he at present is not in a position to exactly explain the actual date of his client traveling to Canada. Therefore, he prays for some time to file a proper affidavit to explain the aforesaid discrepancies. Let the aforesaid be done within 15 days.

5. Accordingly, list this matter on 19.02.2025.

PURUSHAINDR KUMAR KAURAV, J

JANUARY 17, 2025

aks/am.