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

+ **W.P.(CRL) 2244/2018**

KAPIL MODI

..... Petitioner

Through: AR of the petitioner.

Versus

STATE OF GNCT OF DELHI & ANR.

..... Respondents

Through; Ms Shivani Sharma, Advocate for Ms Richa Kapoor, ASC for State.

Mr Rakesh Tikoo, Senior Advocate with Ms Richa Relhan and Mr Amir Pasrich, father of respondent no.2. SI Amrender, PS Fatehpur Beri.

AND

+ **W.P.(CRL) 2368/2018**

KAPIL MODI

..... Petitioner

Through: AR of the petitioner.

Versus

STATE OF GNCT OF DELHI & ANR

..... Respondents

Through: Mr Sanjay Lao, ASC for State with Mr Karan Jeet Rai Sharma along with SI Amrender Dhankhar, PS Fateh Pur Beri.

Mr Rakesh Tikoo, Senior Advocate with Ms Richa Relhan and Mr Amir Pasrich, father of respondent no.2.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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16.12.2019



CRL.M.A. 42812/2019 in W.P.(CRL) 2244/2018

CRL.M.A. 42805/2019 in W.P.(CRL) 2368/2018

1. The petitioner has filed these applications, *inter alia*, praying that cognizance be taken against the counsel who appeared for respondent no.2 on 14.11.2019, for allegedly playing fraud on this Court by recording the presence of Mr. Tikoo, learned Senior Counsel and Ms Rehlan. It is stated that they were not present when the matter was taken up at the end of the Board.

2. There is no dispute that the said counsel were present in the first round and, therefore, this Court finds no infirmity in recording their presence.

3. It is also alleged that the name of the counsel, who appeared for respondent no.2, was not recorded on 14.11.2018.

4. In view of the above, the order dated 14.11.2019 is rectified to record the presence of Mr Pasrich for respondent no.2 as well.

5. It is noticed that the petitioner has made several allegations in these applications. This Court finds no merit in the same. The petitioner shall refrain from making any wanton allegations in the future. The applications are disposed of with the aforesaid observations.

CRL.M.A. 42811/2019 & CRL.M.A. Nos. 28691/2018, 8922/2019 & 39812-39815/2019 in W.P.(CRL) 2244/2018

CRL.M.A. 42804/2019 & CRL.M.A. Nos. 29670/2018, 8924/2019 & 39817-39820/2019 in W.P.(CRL) 2368/2018

6. A request for an adjournment is made by the Authorised



Representative of the petitioner. It is stated that he is unwell. The request is not opposed.

7. List on 05.02.2020.

8. It is clarified that the proceedings pursuant to the FIR impugned in the present petition, are not stayed.

DECEMBER 16, 2019
RK

VIBHU BAKHRU, J