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

+ **CRL.M.C. 2368/2017 & CRL.M.A. 27072/2023**

HARMINDER SINGH

.....Petitioner

Through: Mr. Amulya Dhingra and Mr.
Abhishek Dev, Advs.

versus

STATE & ORS

.....Respondents

Through: Mr. Pradeep Gahalot, APP for the
State with Adv. Hanumanth Sakhuja
Adv. Sunny Sharma Adv. Anubhav
Jain Adv. Nayan Saini Adv. Shubham
Kumar Adv. Dhruv Goyal Adv.
Shristhi Setia Adv. Savi Abbot Adv.
Deepankar Kataria, Adv. with ASI
Naresh Kumar.
Adv. Alisha K. Shail for R-2 & 3.
Mr. Subhash Chand, Adv. for R-6&7.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

% **01.08.2024**

CRL.M.A. 27072/2023

1. This application has been filed on behalf of the petitioner seeking early hearing of the petition which has been admitted in December 2018.
2. The basic grievance of the petitioner is that pursuant to FIR No.180/2017 PS Mianwali Nagar under Sections 420/467/468//120B/34 IPC. The MM after traversing the material on record framed charges only under Sections 420/468/120B/34 IPC having not stated any reasons for dropping the charge under Section 467 IPC. There are other grievances relating to the discharge of respondent Nos.6 and 7 (the bank officials).



3. The revision petition filed by the petitioner against this order of the MM was dismissed by impugned order dated 12th May, 2017, hence this petition.
4. Early hearing is sought on account of the fact that the trial against the accused (respondent Nos.2-5) is underway (the prosecution witnesses are being examined) and in that situation, if the petitioner is successful in their challenge to the discharge qua Section 467 IPC, the trial would have to start *de novo*.
5. Accordingly, early hearing is allowed.
6. List on 15th October, 2024.
7. In the meantime, the trial may progress unabated.
8. Counsel for respondent Nos.2 and 3 appears through VC and states that she has just been engaged in the matter.
9. Reply, if any, to be filed by any of the respondents will be filed before the next date of hearing with copies to opposing side.
10. Both parties shall file their note of arguments of not more than two pages synopsisizing their contentions, with PDF pagination to the Court file, along with a list of citations that they wish to rely upon, at least a week prior to the next date of hearing, after exchanging copies with each other.
11. Order be uploaded on the website of this Court.

ANISH DAYAL, J

AUGUST 1, 2024/MK