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

+ CRL.M.C. 3839/2015

KALANITHI MARAN

..... Petitioner

Through: Mr. Dayan Krishnan, Sr. Advocate with
Mr. Anirban Bhattacharya, Mr. Sumesh Dhawan,
Mr. Vibhor Jain, Mr. Sanjeevi Seshadri and Mr. S.
Sur, Advocates

versus

INCOME TAX OFFICE (ITO)
THROUGH ASSISTANT COMMISSIONER
OF INCOME TAX

..... Respondent

Through: Mr. Puneet Rai, Standing Counsel

+ CRL.M.C. 3841/2015 and Crl. M.A. 13660/2015

KALANITHI MARAN

..... Petitioner

Through: Mr. Dayan Krishnan, Sr. Advocate with
Mr. Anirban Bhattacharya, Mr. Sumesh Dhawan,
Mr. Vibhor Jain, Mr. Sanjeevi Seshadri and Mr. S.
Sur, Advocates

versus

INCOME TAX OFFICE (ITO)
THROUGH ASSISTANT COMMISSIONER
OF INCOME TAX

..... Respondent

Through: Mr. Puneet Rai, Standing Counsel

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

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22.10.2018

After some hearing, the learned senior counsel for the petitioner



having taken instructions submits that he may be permitted to withdraw the present petitions and the application filed therewith, the petitioner seeking liberty to move an application before the concerned Metropolitan Magistrate challenging the validity of the sanction for prosecution on the basis of which the complaints in question have been filed. He requests at the same time that exemption from personal appearance may be granted to the petitioner till decision on the question of validity of sanction is taken.

The petitions and the application filed therewith are dismissed as withdrawn. All the contentions of both sides on the issue raised in these proceedings are kept open. Liberty is granted to the petitioners to move an appropriate application for bringing a challenge to the validity of the sanction for prosecution leading to the criminal complaints being preferred by the respondents. The trial court will consider and adjudicate upon the said application in accordance with law.

For exemption from personal appearance, the petitioner may move an appropriate application before the trial court which shall, of course, consider it in accordance with law.



R.K.GAUBA, J

OCTOBER 22, 2018

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