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

+ CRL.M.C. 1508/2018 & Crl.M.A. 5489/2018

MANISH PERIWAL

..... Petitioner

Through: Mr. Dayan Krishnan, Sr. Adv. with  
Mr. Arshdeep Singh & Mr. Aditya  
Chopra, Adv.

versus

ASSISTANT COMMISSIONER OF INCOME TAX & ANR

..... Respondents

Through: Mr. Zoheb Hossain, Sr. Standing  
Counsel Revenue with Mr. Deepak  
Anand, Jr. Standing counsel, revenue.  
Mr. Amit Mahajan, CGSC with Ms.  
Mallika Hiremath, Adv.

+ W.P.(CRL) 1189/2018 & Crl.M.A. 7208-09/2018

MANISH PERIWAL

..... Petitioner

Through: Mr. Dayan Krishnan, Sr. Adv. with  
Mr. Arshdeep Singh & Mr. Aditya  
Chopra, Adv.

versus

DIRECTORATE OF ENFORCEMENT

..... Respondent

Through: Mr. Amit Mahajan, CGSC with Ms.  
Mallika Hiremath, Adv.

**CORAM:**

**HON'BLE MR. JUSTICE R.K.GAUBA**

**ORDER**

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**28.02.2019**

Both these petitions arise out of the decision dated 28.11.2017 of the Additional Sessions Judge in criminal revision no. 225/2017 whereby the challenge to the order dated 20.05.2017 of the Additional Chief



Metropolitan Magistrate (Special Acts) Central District in the complaint case (CC no. 517650/2016) of Income Tax officer against the petitioner was rejected. By the order impugned before the revisional court, the Additional Chief Metropolitan Magistrate had granted the request of Enforcement Directorate for making available documents which had been presented by the income tax authority (complainant before the said court) in support of its case.

The learned senior counsel for the petitioner, on instructions, submits that since the respondent Enforcement Directorate has already obtained the documents in question, he may be permitted to withdraw these petitions, the contentions as to the use, relevancy or admissibility in any future proceedings initiated by the enforcement directorate against the petitioner being reserved to be agitated as and when the need arises before any adjudicating forum.

The petitions and the applications filed therewith are dismissed as withdrawn.



R.K.GAUBA, J

**FEBRUARY 28, 2019**

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