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

+ **CRL.M.C. 5441/2014**

SAROJ BALA

..... Petitioner

Represented by: Mr. C.S. Rathour, Adv.

versus

STATE (GOVT OF NCT OF DELHI) & ORS

..... Respondent

Represented by: Mr. Hirein Sharma, APP.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

21.12.2016

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Crl.M.A. 19741/2016

By this application the petitioner seeks recalling of the order dated 14th December, 2016.

The order dated 14th December, 2016 did not dismiss the petition for non-prosecution but on the ground of non-maintainability. This issue was posed to the learned counsel on 5th October, 2016 who sought time to address arguments. Matter was listed at request of the learned counsel on 14th December, 2016 when he did not appear and sent a proxy counsel. Thus holding that the petition under Section 482 Cr.P.C. against an order of appellate Court acquitting the accused was not maintainable, the petition and application were dismissed.

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When this application seeking recalling of the order dated 14th December, 2016 came up before this Court on 20th December, 2016, learned counsel for the petitioner sought time to satisfy this Court about the maintainability of this petition. Thus at his request the matter was adjourned for today.

Even today learned counsel for the petitioner has not been able to satisfy this Court about the maintainability of the present petition. Hence this Court finds no reason to recall the order dated 14th December, 2016.

Application is dismissed.

MUKTA GUPTA, J.

DECEMBER 21, 2016
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