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

+ CRL.M.C. 3937/2016
MOHD RAFI @ RAFIQ

..... Petitioner

Through: Mr.Dhan Mohan and Ms.Tanu B.
Mishra, Advocates.

versus

STATE NCT OF DELHI

..... Respondent

Through: Ms.Kusum Dhalla, APP for State with
SI Kulbir Rana, P.S. Vivek Vihar,
Delhi.

CORAM:
HON'BLE MR. JUSTICE I.S.MEHTA

% **ORDER**
24.10.2016

Crl.M.A.No.16520/2016 (Exemption)

Exemption granted, subject to all just exceptions.

Application stands disposed of.

CRL.M.C. 3937/2016 and Crl.M.A.No.16519/2016 (stay)

This is a petition under Section 482 Cr.P.C. filed on behalf of the petitioner Mohd.Rafi @ Rafiq for quashing/setting aside the order dated 10.06.2016 passed by the Court of Ms.Savitri, CMM, Karkardooma Courts, Delhi in case titled State vs. Mohd Rafiq , FIR No.162/2015, under Sections 420/467/468/471 IPC, P.S. Vivek Vihar, Delhi.

Counsel for the petitioner submits that vide order dated 10th June, 2016, the Court below has declared the petitioner as proclaimed offender (PO). Counsel further submits that the petitioner wants to join the proceedings before the Court below. It is further submitted that since charge sheet has not been filed, no date of hearing has been fixed in the matter. Counsel further submits that the petitioner may be granted time to appear before the Court below.

Notice. Learned APP for the State accepts notice and opposes the present petition on the ground that the petitioner has been declared proclaimed offender and he is not joining the proceedings.

Looking into the facts and circumstances of the case, the petitioner is directed to appear before the Court below on 23rd November, 2016 and move appropriate application within four weeks from today which will be considered by the Court below in accordance with law. In the meantime, the NBWs, if any, issued against the petitioner shall be kept in abeyance till 23rd November, 2016 when the petitioner shall appear before the Court below.

The present petition is disposed of in the above terms.

Copy of this order be given *dasti*, as prayed.

I.S.MEHTA, J

OCTOBER 24, 2016
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