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

+ CRL.M.C. 379/2017

MOHD ARSHAD NAEEM

..... Petitioner

Through: Ms. Jhuma Bose and Mohd. Anis-ur-Rehman, Advs.

versus

STATE GOVT OF NCT OF DELHI & ORS

..... Respondents

Through: Mr. G.M. Farooqui, APP for State.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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05.07.2017

Petitioner has assailed the order dated 30th November, 2016 passed by the ASJ (Central), Delhi whereby revision petition filed by him against the order dated 29th September, 2016 of the learned Metropolitan Magistrate has been dismissed. I have perused the trial court record and find that impugned order is a speaking order even though petitioner did not appear before the Revisional Court on the date when revision petition was taken up for hearing. Revisional Court has given good reasons for dismissing the petition and no interference is called for by this Court in exercise of its inherent powers under Section 482 of the Code of Criminal Procedure, 1973 (Cr.P.C.). Petitioner filed a complaint under Section 200 Cr.P.C. before the Metropolitan Magistrate which was not pursued properly as petitioner did

not appear on three consecutive dates, consequently, complaint was dismissed in default. Revisional Court has noted that petitioner did not appear before the trial court on 19th December, 2015, 17th February, 2016 and 29th September, 2016. In these facts, Revisional Court has rightly noted that petitioner did not pursue the complaint diligently. The reasons given by the petitioner for his non-appearance on 19th December, 2015, 17th February, 2016 and 29th September, 2016 are also not cogent reasons. A casual approach appears to have been adopted by the petitioner.

In view of the above discussions, petition is dismissed.

A.K. PATHAK, J.

JULY 05, 2017

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