

\$~9

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 2406/2013 & CRL.M.A.12826/2015 (CM for restoration),
CRL.M.A.12828/2015 (CM for restoration)
SHEILA YVONNE ALICIA DEVALL Petitioner
Through: Mr.S.K.Ambardar, Advocate.

versus
COMMISSIONER OF POLICE & ORS. Respondents
Through: Mr.Kamal Kr. Ghei, APP for State
with Inspector Keshav Mathur, SHO,
P.S. Rajouri Garden and SI
N.L.Yadav, P.S. Rajouri Garden
present in person.
Mr.R.V.Sinha and Mr.A.S.Singh,
Advocates for R-2.

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

ORDER
% **11.10.2017**

CRL.M.A.12826/2015 (for condonation of delay) in CRL.M.C. 2406/2013

This is an application under Section 482 Cr.P.C. filed on behalf of the petitioner for condonation of 656 days delay in filing the restoration application.

For the reasons stated in the application, the delay of 656 days in filing the restoration application is condoned.

Application stands disposed of.

CRL.M.A.12828/2015 (for restoration) in CRL.M.C. 2406/2013

This is an application under Section 482 Cr.P.C. filed on behalf of the petitioner for restoration of the present petition, which was dismissed for non-prosecution by this Court vide order dated 3rd October, 2013.

For the reasons stated in the application, the petition is restored to its original number.

Application stands disposed of.

CRL.M.C. 2406/2013

In terms of the direction given on the last date of hearing, the SHO, Police Station Rajouri Garden is present in person and has filed the status report wherein it is stated that evidences against the petitioner/accused could not be found and hence an untraced report has been filed in this case before the concerned Court on 25.02.2013.

In view of the closure report filed by the Police, learned counsel for the petitioner submits that he may be permitted to withdraw the present petition with liberty to raise the question as and when required as per law. The petitioner, being a British national, is entitled to go back to her country, as nothing has come against her during the course of investigation, as per the status report dated 11.10.2017.

In view of the submission made by learned counsel for the petitioner, the present petition is dismissed as withdrawn and disposed of accordingly with liberty as prayed for.

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

I.S.MEHTA, J

OCTOBER 11, 2017
'dc'