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

+ CRL.M.C. 1040/2017

SHOUKAT RAI MALHOTRA Petitioner

Through: Mr.Sunil Chowdhary, Adv.

versus

NARENDER SUNEJA

..... Respondent

Through: None

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

% **16.03.2017**

CRL.M.A.4373/2017

Exemption granted, subject to all just exceptions.

Application stands disposed of.

CRL.M.C. 1040/2017 & CRL.M.A.4372/2017

Counsel for the petitioner has submitted that the petitioner was exempted on the medical ground on 19.10.2016, however, the Court below issued bailable warrants in the sum of Rs.50,000/- for his appearance on 07.02.2017 and the petitioner did appear on 07.02.2017. He further submits that the order of issuance of bailable warrants is without assigning any reasons as the petitioner is not well and on the wheel chair. He further submits that the matter is fixed for 18.03.2017 and the petitioner be exempted from personal appearance before the Court below on the medical ground permanently.

Order perused.

It seems that the petitioner is facing trial before the Court below who has to guard the interest of the judicial process.

At this stage, learned counsel for the petitioner submits that he be permitted to withdraw the present petition with liberty to file fresh application before the concerned Court for sympathetic consideration.

In view of the submissions made by learned counsel for the petitioner, the present petition is dismissed as withdrawn with liberty to file fresh application on the medical ground and the Court below shall look into the medical condition of the present petitioner and proceed the matter in accordance with law.

The petition is disposed of accordingly.

As prayed, copy of this order be given *dasti*.

I.S.MEHTA, J

MARCH 16, 2017/radhika