

\$~18

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

+ CRL.REV.P. 273/2017 & Crl. M.A. No. 6128/2017 (stay)

OM PRAKASH BAJAJ & ORS. Petitioners
Through :Mr. Rajat Wadhwa and Mr.
Himanshu Nailwal, Advs.

versus

STATE OF NCT OF DELHI & ANR. Respondents
Through : Mr. Amit Gupta, APP with SI Hira
Lal, P.S. Moti Nagar for the State

CORAM:
HON'BLE MR. JUSTICE A.K. PATHAK

ORDER
% **10.08.2017**

The only grievance of the learned counsel for petitioners is that the order on charge was passed without hearing the counsel for the accused. A perusal of the impugned order dated 9th March, 2017 shows that proxy counsel had appeared for the accused persons. Learned counsel for the petitioners submits that on account of sudden death of his father, he was very upset, inasmuch as was busy in some work related to the death of his father, therefore, could not appear before the trial court on 9th March, 2017. He had requested his colleague to appear in the matter only to seek

adjournment.

Keeping in view the contentions of the learned counsel, the impugned order is set aside and the matter is remanded back to the trial court for hearing the counsel for accused persons on the point of charge and to pass appropriate orders thereafter.

Matter is stated to be listed before the trial court on 10th October, 2017. Learned counsel for the petitioners submits that he will appear before the trial court and address arguments on charge.

Petition is disposed of in the above terms. Miscellaneous application is disposed of as infructuous. Dasti.

A.K. PATHAK, J.

AUGUST 10, 2017

rb