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

+ CRL.M.C. 4806/2017 & Crl. M.A. nos. 19154-55/2017

RAVI DHINGRA

..... Petitioner

Through Mr. Vivek Kohli and Ms. Yeshi
Rinchhen, Advs.

versus

THE STATE GOVT OF NCT OF DELHI & ANR... Respondents

Through Mr. M.S. Oberoi, APP for the
respondent no. 1
Mr. Rahul Kaushik, Sr. Standing
Counsel for respondent no. 2

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

% **21.11.2017**

Notice. Learned APP accepts notice for respondent no. 1. Learned Senior Standing Counsel also accepts notice for respondent no. 2.

Since short point is involved, arguments heard with the consent of the parties.

Respondent no. 2 Income Tax Department initiated prosecution against M/s. Orient Clothing Company Pvt. Ltd., petitioner was impleaded as accused no. 2. Initially, he appeared before the trial court and was granted bail. Thereafter, he sought exemption for 29th September, 2016 and 10th November, 2016. He stopped appearing before the trial court.

Therefore, non-bailable warrants were issued against him, which also remained unexecuted. Subsequently, process under Section 82 Cr.P.C. was issued, which was followed by process under Section 83 Cr.P.C.

Learned counsel for the petitioner submits that petitioner had gone abroad due to some family problems and had to stay put there for about one year. Petitioner could not appear before the trial court for this reason. Petitioner undertakes to appear before the trial court and participate in the proceedings in future. Since petitioner has returned to India and has desired to participate in the trial, proceedings under Sections 82/83 Cr.P.C. issued against him are set aside subject to, however, costs of ₹25,000/- to be deposited by the petitioner with Prime Minister Relief Fund, within two weeks.

Petitioner shall appear before the trial court on the next date of hearing.

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

A.K. PATHAK, J.

NOVEMBER 21, 2017

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