

\$~R-6

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

+ **CRL.A. 365/2002**

MANOJ KUMAR

..... Appellant

Through: None.

versus

THE STATE OF NCT OF DELHI

..... Respondent

Through: Ms. Kusum Dhalla, APP.
SI. Ashok Kumar, PS Patel Nagar.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE I.S.MEHTA

ORDER

%

05.01.2018

1. None appears for the appellant.
2. This appeal was admitted way back in 2002 and on 23rd July 2003 the sentence was suspended. From the memo of parties it is seen that the Appellant has his permanent address in Meerut, U.P.
3. The police officer from PS Patel Nagar is not in a position to inform whether the Appellant is available at the given address.
4. The present appeal has been shown on the regular board of this Court for well over two months now. If notices are now sent to the Appellant for his appearance in Court it would in all probability not be served and there will have to be a indefinite wait for that to happen. The better course that

commends itself to the Court is that the appeal be dismissed in default with permission to the Appellant to apply to this Court to revive the appeal for hearing immediately after their appearing before this Court in person.

5. Meanwhile, the SHO of the concerned PS will also make persistent efforts to trace the Appellant and take further consequential steps upon the dismissal of this appeal. As soon as Appellant is taken into custody, the SHO will file a report in this Court and instruct the APP to immediately mention the appeal for listing.

6. The appeal is accordingly dismissed with the aforesaid directions. The personal bond and surety bonds furnished stand cancelled.

S.MURALIDHAR, J

I.S.MEHTA, J

JANUARY 05, 2018

nd