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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.A. 390/2002**

BAL KISHAN Appellant
Through: None.

versus

STATE Respondent
Through: Ms. Radhika Kolluru, APP.

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 05th August, 2005 the sentence was suspended. From the memo of parties it is seen that the Appellant has his permanent address in Farukkabad, U.P.
3. As pointed out by the learned APP, Appellant has not complied with the condition in the order granting suspension of sentence, to report to the SHO Ambedkar Nagar on the 7th of each month. The police officer from PS Ambedkar 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 this appeal be dismissed in default with permission to the Appellant to apply to this Court to revive the appeal for hearing immediately after his 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

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