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

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Judgment delivered on: 02.08.2018

+ CRL.M.C. 928/2018

LALIT KHANDUJA

..... Petitioner

versus

STATE

..... Respondent

Advocates who appeared in this case:

For the Petitioner : Mr. Vijay Mehta, Advocate along with petitioner in person.

For the Respondent: Mr. Sanjeev Sabharwal, Addl. PP for the State

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

02.08.2018

SANJEEV SACHDEVA, J. (ORAL)

1. The petitioner seeks modification of order dated 22.01.2018 whereby the revision petition of the petitioner impugning order dated 07.10.2017 has been dismissed.

2. The Metropolitan Magistrate by order dated 07.10.2017, while permitting release of the subject vehicle directed the petitioner to deposit a Fixed Deposit Receipt in the sum of Rs.10 lacs in the name of the court as the vehicle was not insured.

3. Learned counsel for the petitioner submits that the said direction was issued so as to secure the interest of the injured/legal heirs of the deceased.

He submits that by order dated 03.02.2018 the Court of Motor Accident Claim Tribunal also noticing the fact that the vehicle was not insured and keeping in view the fact that the case involved four injuries and one death directed the petitioner to deposit a sum of Rs.8 lac.

4. Learned counsel for the petitioner submits that the petitioner has deposited a FDR in the sum of Rs.10 lacs with the Court of the Motor Accident Claim Tribunal. He submits that the said amount also satisfies the requirement of order dated 07.10.2017 passed by the Court of Metropolitan Magistrate.

5. I am of the view that since petitioner has deposited a FDR in the sum of Rs.10 lacs, it would be open to the Metropolitan Magistrate to reconsider his decision and ascertain as to whether the said deposit satisfies the requirement of his order dated 07.10.2017. In case the Magistrate is satisfied that the said order has been complied with, he shall pass appropriate order directing release of the vehicle.

6. The petitioner shall be at liberty to move an application before the Court of Metropolitan Magistrate who shall on receipt of such application consider the same expeditiously and dispose of the same preferably within one week.

7. Petition is disposed of in the above terms.

8. Order *Dasti* under signatures of the Court Master.

AUGUST 02, 2018/ns

SANJEEV SACHDEVA, J