$~45

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

\+ CRL.M.C. 4487/2018

SHAHZAD KHAN ..... Petitioner
Through: Mr.Vishal Raj Sehijpal, Adv.

versus

STATE OF NCT OF DELHI ..... Respondent
Through: Mr.Panna Lal Sharma, APP with SI Raju, P.S.Govindpuri.

CORAM:
HON'BLE MR. JUSTICE SANJEEV SACHDEVA

O R D E R

% 05.09.2018

Crl.M.A.31397/2018 (exemption)

Exemption is allowed subject to all just exceptions.

CRL.M.C. 4487/2018

1. Petitioner impugns order dated 13.07.2018, whereby petitioner was declared a proclaimed offender under Section 82 Cr.P.C.

2. Learned counsel for the petitioner submits that subsequently this Court has by order dated 01.08.2018 granted interim protection to the petitioner and petitioner is thereafter joining investigation. He further submits that the petitioner was not put to any notice and was not aware of the pendency of the proceedings before the trial court and as such could not appear before the Trial Court and further that he was served with the proclamation issued under Section 82 Cr.P.C.

3. Learned counsel seeks leave to withdraw the petition with

liberty to approach the Trial Court for recall of proceedings initiated under Section 82 Cr.P.C.

4. In view of the above, petition is dismissed as withdrawn with the liberty to the petitioner to approach the Trial Court for seeking recall of the process issued under Section 82 Cr.P.C.

5. Order *Dasti* under the signature of the Court Master.

SANJEEV SACHDEVA, J

SEPTEMBER 05, 2018
rk