

\$~36

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

+ **CRL.M.C. 5096/2018 & CrI. M.A. 33621-33622/2018**

MUNISH KUMAR Petitioner

Through: Mr. Shamit Mukherjee and
Mr. Manish Kumar, Advs.

versus

STATE OF NCT OF DELHI & ANR Respondents

Through: Mr. Mukesh Kumar, APP for State

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

05.10.2018

%

The learned counsel for the petitioner submits, after receiving fresh instructions, that the learned Metropolitan Magistrate has already rendered judgment in the case holding the petitioner guilty and convicting him under Section 138 Negotiable Instruments Act, 1881 by order dated 07.06.2018, followed by a subsequent order on sentence dated 03.07.2018 which are under challenge before the Court of Sessions in first appeal. The learned counsel on instructions submits that he may be permitted to withdraw the present petition and given the liberty to move the first Appellate Court under Section 391 Cr.P.C. for appropriate relief.

The petition alongwith the applications filed therewith are dismissed as withdrawn with the liberty as prayed for, granted.

R.K.GAUBA, J

OCTOBER 05, 2018/PB