

\$~8

*

+

IN THE HIGH COURT OF DELHI AT NEW DELHI

CRL.M.C. 6232/2018 & CRL.M.A. 49165/2018

ROHIT ARORA

..... Petitioner

Through: Mr. Rakesh Malhotra,
Advocate

versus

STATE & ANR

..... Respondents

Through: Mr. Kamal Kumar Ghai, APP
with ASI Aman Kumar,
CWC/Nanakpura, New Delhi
Ms. Vandana Anand, Advocate

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

%

19.12.2018

1. The petitioner has handed over a demand draft, bearing No.142249, dated 18.12.2018, drawn on United Bank of India, for a sum of Rs.1,31,000/- and a post-dated cheque bearing No.079825, dated 31.12.2018, drawn on United Bank of India, for a sum of Rs.1,00,000/- to the respondent No.2 in the Court.

2. Learned counsel for the petitioner submitted that he has already moved an application under Section 127 of the Code of Criminal Procedure, 1973 (Cr. PC) before the Trial Court and the same is coming-up for hearing on 20.12.2018. Learned counsel for the petitioner further submitted that whatever amount is decided by the Trial Court after disposal of the application under Section 127 Cr. PC, the petitioner shall pay the same before the Trial Court. Learned counsel for the

petitioner also submitted that the Trial Court has issued NBW against the petitioner in Execution Petition No.184/2017, against which he may be moving an application for cancellation of the NBW and the Trial Court may be directed to cancel the NBW in the aforesaid execution petition against the petitioner and assures the Court that the petitioner shall appear before the Trial Court in the aforesaid execution petition.

3. In view of the payment made today in Court to respondent No.2, the Trial Court may sympathetically consider the application for cancellation of NBW against the petitioner.

4. Learned counsel for the petitioner submitted that, in view of the aforesaid observations, he seeks permission to withdraw the petition. Accordingly, the petition is dismissed as withdrawn. It is clarified that this Court has not expressed any opinion on the merits of the petition. Pending application is also dismissed as withdrawn.

Dasti to both the parties.

CHANDER SHEKHAR, J

DECEMBER 19, 2018

tp