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

+ CRL.M.C. 5445/2017 & CrI. M.A. No. 21238/2017

MRS P R PARIDA & ANRPetitioners

Through: Mr. L.R. Rath, Advocate

Versus

STATE & ANRRespondents

Through: Mr. Izhar Ahmad, Additional
Public Prosecutor with SI Manoj
Kumar

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER

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19.12.2018

Vide impugned order of 2nd July, 2015, petitioners have been summoned for commission of offence under Section 420/34 of IPC. It is stated that the matter is coming up before the trial court for recording of pre-charge evidence on 15th January, 2019. It would be appropriate if petitioners cross-examine the complainant at the stage of pre-charge evidence and thereafter, urge the pleas taken herein before the trial court at the charge stage.

In the facts and circumstances of this case, subject to petitioners filing the requisite application before the concerned trial court, they be exempted from personal appearance till the '*order on charge*' is passed, provided petitioners are duly represented by counsel before trial court. It is made clear that if petitioners are found to unduly delay the proceedings, then trial court shall be well within its right to secure

presence of petitioners.

In light of the aforesaid, this petition and the application are disposed of, with liberty as aforesaid while refraining to a comment upon the merits of this case.

(SUNIL GAUR)
JUDGE

DECEMBER 19, 2018

v