

\$~68

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

+ **W.P.(CRL) 2759/2019**

RAMESH PRASAD NEPAL

..... Petitioner

Through: Mr Prem Chhetri and Ms Sebika
Lama, Advocates.

versus

**SPECIAL COMMISSIONER OF POLICE,
DELHI POLICE**

..... Respondent

Through: Ms Kamna Vohra, ASC for State.
Insp. Bijender Singh, TI, CLC Traffic
with SI Sher Singh, IO, CLC.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **25.09.2019**

CRL.M.A. 36880/2019

1. Allowed, subject to all just exceptions.

W.P.(CRL) 2759/2019 & CRL.M.A. 36881/2019

2. The petitioner has filed the present petition, *inter alia*, praying that directions be issued to the respondent to collect fine in respect of Challan No. DL18069190921095654 dated 21.09.2019 issued by the Delhi Traffic Police and return the petitioner's driving licence and permit of Bus No. BA 5 KHA 8223.

3. The petitioner states that the challan was issued on account of the petitioner jumping a red light. His predicament is that he has been informed that the challan is required to be paid through the virtual court;

however, he states that the system is not in place for the virtual court to be fully operational. Therefore, despite the petitioner desiring to comply and pay the fine, he is unable to do so.

4. Ms Vohra, the learned ASC states that the matters relating to challan are taken up by the court of Metropolitan Magistrate Traffic (Court No. 37), Tis Hazari Courts, Delhi.

5. In view of the above, this Court considers it apposite to direct the respondent to produce all relevant records before the concerned Metropolitan Magistrate. The learned MM shall consider the petitioner's case and accept the payment of challan and if it is found that there is an impediment in the petitioner paying the challan through virtual court, the concerned MM shall pass necessary orders for facilitating the payment of fine.

6. The petition is disposed of in the aforesaid terms. The pending application is also disposed of.

7. Order *dasti* under signatures of the Court Master.

VIBHU BAKHRU, J

SEPTEMBER 25, 2019
MK