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

+ CRL.M.C. 364/2019 & CrI.M.A. 1568/2019

JASMI GEORGE

..... Petitioner

Through: Mr. Jose Abraham & Mr. M.P.
Srivignesh, Advs.

versus

SHRI MOOLCHAND KHAIRATI RAM TRUST Respondent

Through: Mr. Gaurav Bahl, Adv.

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

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14.02.2019

The counsel for the respondent points out that on account of failure to secure the presence of the petitioner, even the non-bailable warrants having been returned unexecuted, the Metropolitan Magistrate issued proclamation under Section 82 Cr.P.C. by order dated 15.12.2018, the matter being listed before the said court on 22.04.2019 for return of such process.

The counsel for the petitioner at this stage, sought liberty to withdraw the present petition reserving the contentions set out in the petition as defences to be raised before the trial court undertaking at the same time that the petitioner would appear before the trial court without further default. The petitioner is bound by the undertaking.

The petition with accompanying application are dismissed as withdrawn. The petitioner is at liberty to raise the contentions set out in the petition as defences before the trial court.

Dasti under the signatures of Court Master to both sides.

R.K.GAUBA, J

FEBRUARY 14, 2019/nk