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

+ **CRL.M.C. 798/2019 & CRL.M.As.3234-35/2019**

AMRIK SINGH Petitioner

Through: Mr. O.N. Sharma, Adv.

versus

STATE NCT OF DELHI Respondent

Through: Mr.Panna Lal Sharma, APP

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

% **13.02.2019**

CRL.M.A. 3234/2019 (for exemption)

Allowed, subject to all just exceptions. Application stands disposed of.

CRL.M.C. 798/2019 & CRL.M.A.3235/2019 (for stay)

1. The petitioner has filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 (Cr.P.C.) for setting aside the impugned order dated 24.11.2018 in Complaint Case No.2715/2017 passed by the Metropolitan Magistrate (NI Act), Tis Hazari Courts, Delhi whereby proceedings under Section 82 of the Cr.P.C. are directed to be initiated against the petitioner.

2. Learned counsel for the petitioner submitted that the petitioner has already moved an application before the Trial Court for the cancellation of the non-bailable warrants and recalling of the

proceedings under Section 82 Cr.P.C. on 4.2.2019, however, the concerned Metropolitan Magistrate was on leave earlier on the date fixed and now, the said application is fixed for hearing on 18.2.2019.

3. A prayer has been made by the learned counsel for the petitioner that the Trial Court may be directed to take up the said application at the earliest and protection may be granted to the petitioner till the disposal of the said application.

4. In view of the above submissions made by the learned counsel for the petitioner, this Court does not deem it proper to issue notice to the respondent. However, in the interest of justice, the Trial Court is directed to pre-pone the date and take up the application on 15.2.2019 and dispose of the same in accordance with law.

5. Learned counsel for the petitioner, at this stage, submitted that in view of the aforesaid directions, he may be allowed to withdraw the petition. Accordingly, the petition is dismissed as withdrawn. Pending application is also dismissed as withdrawn.

Order be given *dasti* under the signature of Court Master.

CHANDER SHEKHAR, J

FEBRUARY 13, 2019/rk