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

+ **CRL.REV.P. 250/2019**

DHEERAJ

..... Petitioner

Through Mr. Jitender Tyagi and Mr. K.D.
Pandey, Advs.

versus

STATE

..... Respondent

Through Ms. Meenakshi Dahiya, Addl. PP for
the State with SI Yogesh Tanwar

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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06.03.2019

Crl. M.A. 4818/2019 (Exemption)

Allowed, subject to all just exceptions.

CRL.REV.P. 250/2019

1. Petitioner impugns order dated 24.01.2019 whereby the petitioner has been declared an absconder as petitioner failed to appear consequent to the publication under Section 82 Cr. P.C.

2. Learned counsel for the petitioner seeks leave to withdraw the petition with liberty to approach the trial court for recall of the proceedings under Section 82 Cr. P.C. He undertakes that the petitioner shall appear before the trial court while moving the application seeking recall of the proceedings under Section 82 Cr. P.C.

3. In view of the above, the petition is dismissed as withdrawn with liberty to petitioner as prayed for.
4. On petitioner filing an application seeking recall of the 82 Cr. P.C. proceedings within one week, no coercive action shall be taken against the petitioner till the time the application is listed before the trial court for consideration.
5. It is further clarified that the trial court shall consider the application on merits without being influenced by anything stated in this order.
6. Order *dasti* under signatures of the Court Master.

SANJEEV SACHDEVA, J

MARCH 06, 2019
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