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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 2005/2019**
HONY LT. JAINIL KUMAR Petitioner
Through: Mr. Gaurav Bhardwaj,
Advocate

versus

THE GOVT. OF NCT OF DELHI & ANR Respondents
Through: Mr. Ashish Dutta, APP

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

% **26.04.2019**

CRL.M.A.7948/2019

Allowed, subject to all just exceptions. The application is disposed of.

CRL.M.C. 2005/2019 & CRL.M.A.7947/2019

1. Learned counsel for the petitioner, after some arguments, submitted that the petitioner may be given liberty to move an application before the Trial Court, raising all the contentions and pleas as per law including that of the discharge, hence, the petitioner may be allowed to withdraw the petition.

2. In view of the aforesaid submissions, the petition is dismissed as withdrawn, with liberty as prayed for. Pending application is also dismissed as withdrawn.

3. Learned counsel for the petitioner also submitted that the complainant has made the complaint against the petitioner out of vengeance for the purpose of harassing him, hence, during the pendency of the disposal of the application, including that of the discharge, the petitioner may be exempted from his personal appearance.

4. The petitioner may move an application for exemption from his personal appearances and the Trial Court shall consider the same, taking into consideration the submissions of the learned counsel for the petitioner, as per law.

5. It is clarified that this Court has not expressed any opinion on the merits of the petition.

CHANDER SHEKHAR, J

APRIL 26, 2019

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