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

+ **W.P.(CRL) 2239/2018 & CRL.MA 28652/2018**

ONKAR SINGH

..... Petitioner

Through Mr Faraz Maqbal, Mr Siddhanth Satija,
Advocates.

versus

STATE OF NCT OF DELHI

..... Respondent

Through Mr Karanjeet Rai Sharma, for Mr Sanjay
Lao, ASC for State.
SI Arjun Singh, P.S. Vivek Vihar.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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09.10.2019

1. The petitioner has filed the present petition, *inter alia*, praying as under:-

“Issue guidelines in terms of the guidelines issued by this Hon'ble Court in 'Court in its own Motion v. Central Bureau of Investigation' - being CrI. M (M) 3875 of 2003; and/ or

b. Pass an Order quashing the Order dated 19.07.2018 passed by the Ld. Metropolitan Magistrate, in Criminal / Case No. 1950/2018 titled 'State v. Sudhir Bajaj & Ors.',”

2. Insofar as the prayer to issue guidelines, in terms of the guidelines issued by this Court earlier in the abovementioned cases, is concerned; clearly, no such orders can be passed. It is not necessary for this Court to

reiterate the guidelines which have been set out by the Division Bench of this Court in earlier petitions. The prayer, to this effect, is misconceived.

3. Insofar as the prayer for quashing the order dated 19.07.2018 is concerned, it is seen that by the said order the trial court had directed that NBWs be issued against the petitioner. This was on account of the petitioner being absent on 19.07.2018. The Trial Court found the petitioner's application for exemption from personal appearance to be without any merit. However, it is stated that the petitioner was subsequently admitted to bail. It is also stated that the petitioner has been regularly appearing before the Trial Court.

4. In the said circumstances, the NBWs issued against the petitioner serve no purpose. In this view, the order dated 19.07.2018, insofar as it directs issuance of NBWs against the petitioner, is set aside. This is also subject to the petitioner ensuring that he remains present before the Trial Court on all subsequent hearings unless specifically exempted.

5. The petition is disposed of with the aforesaid directions. The pending application is also disposed of.

VIBHU BAKHRU, J

OCTOBER 09, 2019

pkv