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

+ **CRL.REV.P. 163/2019 & CRL.M.(BAIL) 255/2019**

PRITISH MARIO BASU

..... Petitioner

Through: Mr Suraj Prakash, Advocate.

versus

STATE & ORS

..... Respondents

Through: Ms Kusum Dhalla, APP for state.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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05.02.2020

1. The learned counsel appearing for the petitioner seeks to withdraw the present petition as he states that the entire amount as directed has been paid. He has also drawn the attention of this Court to an order dated 22.07.2019, whereby the counsel had sought time to deposit 15% of the cheque amount with the Delhi State Legal Service Authority in terms of the judgement of the Supreme Court in *Damodar S. Prabhu v. Syed Babulal H (2010) 5 SCC 663*. He submits that despite best efforts, the petitioner has been unable to raise any further funds.

2. The aggregate amount of cheques in the present case is ₹15 lakhs and the petitioner has already paid a sum of ₹25 lakhs. He has also referred to certain documents on record, which indicates that the petitioner's monetary condition is not good. The petitioner has also suffered custody of over two weeks since he could not pay the amount due. Given the mitigating circumstances of this case, this Court considers it apposite to waive the

deposit of 15% of the cheque amount as recorded in the order dated 22.07.2019.

3. In view of the above, the petition is dismissed as withdrawn.

FEBRUARY 05, 2020
MK

VIBHU BAKHRU, J