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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 850/2019 & CRL.M.A. 3411/2019**
ASHU KHAN Petitioner

Through: Mr. Faran Ahmed, Adv.

versus

STATE OF GNCT OF DELHI Respondent
Through: Mr. Sanjeev Sabharwal, APP for
State
Mr. KK Tyagi, Adv. for R-2.

CORAM:
HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER
% **17.01.2020**

Vide the present petition, the petitioner seeks quashing of the proceedings under Sections 138 & 142 of the Negotiable Instruments Act, 1881 in relation to CC No.721/2010.

Without advertng to the merits or demerits of the said prayer, it is essential to observe as submitted on behalf of the respondent no.2 who has been impleaded pursuant to directions dated 07.03.2019 and which contention has not been refuted on behalf of the petitioner that vide order dated 03.07.2019 of the learned MM-04 (NI Act), Central, THC in CC No.522285/2016 (stated to be the present number of CC No.721/2010), the petitioner herein has been declared a Proclaimed Offender on 03.07.2019 having chosen not to put in appearance before the learned trial Court with the process under Section 82 of the Cr.PC, 1972 having been executed on 27.03.2019.

In the circumstances, where the petitioner is apparently

misusing the process of law, it is not considered appropriate to consider the petition any further. It is made clear that however, this order is not on the merits or demerits of the prayer qua seeking the quashing of the complaint.

The petition is dismissed.

ANU MALHOTRA, J

JANUARY 17, 2020

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