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

+ CRL.M.C. 964/2020

VAIBHAV GOEL

..... Petitioner

Through
versus

Ms.Diksha Mathur, proxy counsel

STATE & ANR.

..... Respondents

Through

Mr. Izhar Ahmed, APP for State with
SI Ramesh Kumar, PS South Rohini

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

ORDER

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20.02.2020

Crl. M.A. 3911/2020 (for exemption)

Allowed, subject to all just exceptions.

Application is disposed of.

CRL.M.C. 964/2020

Vide present petition, petitioner seeks direction thereby to set aside impugned order dated 12.2.2020 passed in Crl.Rev.P. No.246/2019 dated 19.12.2019 whereby permission sought by petitioner to go abroad for a period of one year has been disallowed by learned Metropolitan Magistrate, Rohini Courts, Delhi in FIR No.125/2020 for offences punishable u/s 376/506 IPC registered at Police Station South Rohini.

In view of urgency in present petition, notice issued.

Learned APP accepts notice for State.

On taking steps, let notice be served upon respondent No.2 through Investigating Officer (IO) by all modes, returnable today itself, i.e. 20.2.2020 at 2:30 pm.

IO shall convey to respondent No.2 that matter will be taken up today

at 2:30 pm.

It is made clear that if respondent No.2 does not come to Court at 2.30 pm, present petition shall be decided on merits.

Order dasti under signatures of the Court Master.

SURESH KUMAR KAIT, J

FEBRUARY 20, 2020/rk

At 2:30 pm, IO of the case submits that as per the directions of this Court, he conveyed the earlier order of even date to the complainant's father who stated that he along with his family have shifted from Delhi to Agra, therefore, it was not possible to appear in Court today.

Petitioner undertakes to deposit an FDR for an amount of Rs.5 lacs before Trial Court/Duty Magistrate and has assured this Court that he shall remain present before Trial Court as and when date is fixed before it until personal appearance is not exempted by the Trial Court.

Keeping in view aforesaid undertaking given by petitioner and in the interest of justice, he deserves to go abroad.

It is made clear that if petitioner fails to appear before Trial Court on the date fixed before it, said amount shall be forfeited and released in favour of complainant/prosecutrix.

In view of above, on furnishing an FDR for an amount of Rs.5 lacs, petitioner shall be allowed to go abroad.

The present petition is, accordingly, allowed.

Order dasti under signatures of the Court Master.

SURESH KUMAR KAIT, J

FEBRUARY 20, 2020/rk