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

+ CRL.M.C. 4200/2019

DEVESH

..... Petitioner

Through Mr.Madhu Mukul Tripathi,
Mr.Shubham Sharma and
Mr.Shubham Gupta, Advs.
versus

GOVT. OF NCT OF DELHI

..... Respondent

Through Mr. Raghuvinder Verma, APP
with Insp. Vijay Kumar

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

% **08.01.2020**

1. Learned counsel for the petitioner submitted that he has only two grievances against the impugned order dated 13.5.2019 wherein the Trial Court observed that the two applications filed by the petitioner are drafted in a very clandestine and ambiguous manner and that the Trial Court has directed the petitioner to pay diet money and travel expenses to the witnesses who have already been examined before the framing of the additional charge.
2. Learned APP, on the query of the Court, submitted that after framing the additional charge against the petitioner, it was the duty of the State to produce the witnesses for the cross-examination in view of the additional charge framed against the petitioner. Hence, he has no objection in case the diet money and travel expenses are not paid by the petitioner to the already examined witnesses.

3. Learned counsel for the petitioner submitted that the observation of the Trial Court that the two applications are drafted in a very clandestine and ambiguous manner be also deleted and/or be not read as part of the record.

4. In view of the aforesaid circumstances as well as in the interest of justice, the observation of the Trial Court that the two applications are drafted in a very clandestine and ambiguous manner shall not be read as a part of the record, as prayed, and the petitioner is also exempted from making the payment of any diet money and travel expenses to the already examined witnesses in the matter before the Trial Court.

5. Learned counsel for the petitioner submitted that in view of the aforesaid directions, he may be allowed to withdraw the present petition. Accordingly, the present petition is dismissed as withdrawn.

CHANDER SHEKHAR, J

JANUARY 08, 2020/rk