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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 4647/2019 & CRL.M.A. 2322/2020(CM For Restoration)
ROHIT CHAUDHARY & ANR.Petitioners
Through: Mr. Kamran Malik, Adv.

versus

STATE & ORS. Respondents
Through: Mr. Aashaa Tiwari, APP for State
with SI Pravin Kumar, DIU/SED.
Ms.

CORAM:
HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER
% **31.01.2020**

The petition has already been dismissed in default and taken up on CRL.M.A. 2322/2020 filed on behalf of the petitioners seeking restoration of the petition dismissed in default on 17.01.2020.

For reasons explained through the application in para 5 thereof, which reads to the effect:

“That the matter was listed on 17.01.2020 for final hearing for quashing. The matter was listed as item 29 in advance list of 45 matters whereas matters from 46 to 71 were in Supplementary List. The counsel for Petitioner was in the impression that matter will not reach before 12 Noon. At 10 am 17.01.2020, the Counsel for Petitioners went to Local Doctor with his wife who was not well and after getting free at 11 am, the counsel for Petitioner rushed to the Court. The Counsel reached the Court at about 11.45 am when matter was already taken up.”

In as much as the petition is apparently premised on a settlement

though the respondent no.3 is not present, in the interest of justice, the petition is restored to its original stage and number.

CRL.M.A. 2322/2020 is disposed of accordingly.

The status report be submitted.

Notice of the restored petition be issued to the respondent no.3 on taking of steps by the petitioners, process returnable on 05.05.2020.

ANU MALHOTRA, J

JANUARY 31, 2020

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