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

+ **CRL.M.C. 1576/2024**

MAHESH KUMAR TULSIANI

..... Petitioner

Through: Mr.Shivam Rawat, Mr.Harsh Singh,
Mr.Vaibhav T and Mr.K.K. Sharma, Advocates

versus

STATE (NCT OF DELHI) & ANR.

..... Respondents

Through: Mr. Aashmeet Singh, APP for State with
SI Satish Singh

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

27.02.2024

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CRL.M.A. 6140/2024 and CRL.M.A. 6141/2024 (exemptions)

1. Allowed, subject to all just exceptions.
2. The applications are disposed of.

CRL.M.C. 1576/2024 and CRL.M.A. 6139/2024 (stay)

1. By way of present petition filed under Section 482 Cr.P.C., petitioner seeks quashing/setting aside of the order dated 19.02.2024 passed by the learned MM, Karkardooma Court, in the case arising from FIR No.165/2021 registered under Section 420 IPC at P.S. Shakarpur, whereby his application seeking cancellation of non-bailable warrants (NBWs) came to be dismissed.
2. Learned counsel for the petitioner submits that the petitioner is a resident of Lucknow and could not appear despite issuance of notices under Section 41A Cr.P.C., on account of some miscommunication and expresses



his repentance for the same. He further submits that the petitioner will join the investigation as and when called.

3. Issue notice.

4. Learned APP for the State accepts notice and, on instructions, submits that the petitioner can join the` investigation on 01.03.2024 at 4:00 P.M.

5. Subject to the petitioner joining the investigation on 01.03.2024 at 4:00 P.M., the impugned order dated 19.02.2024 is set aside. Consequently, the NBWs issued vide order dated 04.01.2024 are also set aside.

6. In view of the above, the present petition is disposed of alongwith the pending application.

Dasti under the signatures of the Court Master.

MANOJ KUMAR OHRI, J

FEBRUARY 27, 2024

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