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

+ **CRL.M.C. 2158/2024**

ANIL KUMAR TULSIANI

..... Petitioner

Through: Mr.Harsimran Singh, Mr.Vaibhav T.,
Advocates

versus

STATE(NCT OF DELHI) & ANR.

..... Respondents

Through: Mr. Laksh Khanna, APP for State

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

18.03.2024

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CRL.M.A. 8374/2024 and CRL.M.A. 8375/2024 (exemptions)

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

CRL.M.C. 2158/2024 and CRL.M.A. 8373/2024 (stay)

1. By way of present petition filed under Section 482 Cr.P.C., petitioner seeks quashing/setting aside of the order dated 11.03.2024 passed by the learned MM, Karkardooma Court, in the case arising from FIR No.165/2021 registered under Section 420/34 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 submits that the petitioner will join the investigation as and when called. He further submits that the petitioner is presently unwell and is also undergoing physiotherapy in Lucknow and seeks two weeks' time to join the investigation.

3. Issue notice.

4. Learned APP for the State accepts notice and, on instructions, submits that the petitioner can join the investigation on 02.04.2024 at 4:00 P.M.

5. Subject to the petitioner joining the investigation on 02.04.2024 at 4:00 P.M., the impugned order dated 11.03.2024 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.

MANOJ KUMAR OHRI, J

MARCH 18, 2024

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