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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 1670/2021**
HARISH KUMAR BHAMBRI Petitioner
Through: Mr. Abhijit Mishra, Adv.
versus
STATE NATIONAL CAPITAL TERRITORY OF DELHI
..... Respondent
Through: Mr. Ajay Vikram Singh, APP for State
with Inspector Ranveer Mavi, DIU,
Shahdara.
Mr. Naveen Sharma, Adv. for R-2.

CORAM:
HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

ORDER
26.02.2024

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CRL.M.A. 625/2022

Exemption allowed, subject to just exceptions.

Application stands disposed of.

CRL.M.C. 1670/2021

1. Petition under Article 227 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been preferred on behalf of the petitioner for quashing of order dated 09.07.2021 passed by learned Additional Sessions Judge, Shahdara District, whereby the application under Section 340 read with 195 Cr.P.C. filed on behalf of the complainant was dismissed with cost of Rs. 25,000/-.
2. Learned counsel for the petitioner submits that the aforesaid application under Section 340 Cr.P.C. was preferred since the accused during the pendency of proceedings for anticipatory bail application failed to honour the submissions made during the course of application under Section 438 Cr.P.C.



3. Learned APP for the State submits that the order passed by learned Additional Sessions Judge is in accordance with law and on merits the objections raised by learned counsel for the petitioner are unsustainable.

4. At this stage, it is prayed by learned counsel for the petitioner that the application had been filed *bonafide* and the cost of Rs. 25,000/- imposed by the learned Trial Court while dismissing the aforesaid application may be set aside and petition be disposed of as not pressed.

5. Considering the totality of facts and circumstances of the case and taking the statement of learned counsel for the petitioner on record, the petition is disposed of as not pressed and cost of Rs.25,000/- imposed by the learned Trial Court is set aside.

Petition is accordingly disposed of. Pending applications, if any, also stand disposed of.

A copy of this order be forwarded to the learned Trial Court for information.

ANOOP KUMAR MENDIRATTA, J.

FEBRUARY 26, 2024/akc