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

+ CRL.M.C. 5630/2024, CRL.M.A. 21489/2024 &
CRL.M.A. 21490/2024

SMT MUKTA MANI

.....Petitioner

Through: Mr. Anuj Kumar Ranjan,
Mr. Manish Kumar & Mr.
Kundan Kumar,
Advocates.
Petitioner-in-Person
(Through V.C.).

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Naresh Chahar, APP
for the State.
Inspector Rajiv (P.S.
Malviya Nagar).

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

24.07.2024

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1. The present petition is filed challenging the orders dated 25.06.2024, 04.07.2024 and 20.07.2024 (hereafter '**impugned orders**'), passed by the learned Magistrate, South District, Saket Courts, New Delhi, in FIR No.674/2013, registered at Police Station Malviya Nagar.
2. By order dated 25.06.2024, the learned Magistrate issued non-bailable warrants ('**NBWs**') against the petitioner on account of her non-appearance.
3. Thereafter, the petitioner moved an application for cancellation of the NBWs which was dismissed by the learned Magistrate by order dated 04.07.2024.



4. Another application ^{is} filed by the petitioner for cancellation of NBWs, however, the learned Magistrate dismissed the said application *vide* order dated 20.07.2024 on account of the conduct of the petitioner.
5. The learned counsel for the petitioner submits that the petitioner had moved an application for exemption on 25.06.2024 on account of her being out of station. However, the application was dismissed and non-bailable warrants were issued against her by the learned Magistrate on the same day.
6. He submits that an application for cancellation of NBWs was filed thereafter on the same day specifically stating that the father-in-law of the petitioner was unwell. He submits that the petitioner was in Bokaro, Jharkhand due to the said reason.
7. He submits that the first application for cancellation of NBWs was dismissed as no supporting documents were filed to establish that the father-in-law of the petitioner was unwell.
8. He submits that subsequently another application was filed for cancellation of the NBWs along with supporting documents. He submits that the petitioner had also appeared through video conferencing on the said date.
9. He submits that despite the same, the application for cancellation of NBWs was again dismissed by the learned Magistrate on 20.07.2024.
10. He submits that the petitioner was not present in Court on the concerned dates on account of her father-in-law being unwell. He submits that the matter is now listed for further consideration on 12.11.2024 and the petitioner undertakes to be present in person before the Court on the said date.
11. The petitioner is present today through video conferencing. She undertakes that no unwarranted adjournments



would be taken in future and he would appear in person before the learned Trial Court on the next date of hearing.

12. In view of the above, without going into the merits of the case and the legality of the orders passed by the learned Magistrate, this Court considers it apposite that one last opportunity be granted to the petitioner to appear in person before the learned Trial Court.

13. Petitioner is bound down to the aforesaid undertaking.

14. In view of the above, the impugned orders are set aside.

15. The petition is disposed of in the aforesaid terms.

AMIT MAHAJAN, J

JULY 24, 2024

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