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

+ CRL.M.C. 5709/2024, CRL.M.A. 21813/2024 &
CRL.M.A. 21814/2024

NAVEEN KHATANA

.....Petitioner

Through: Mr. B P Sharma & Ms. Suman Nihar,
Advocates

versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Amit Ahlawat, APP for the State
with Mr. Jatin Goel, Ms. Mamta
Shah & Ms. Palak Gupta, Advocates
Insp. Surender PS Laxmi Nagar

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

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26.07.2024

1. This petition is filed for setting aside order dated 1st June 2024 passed by the ASJ in FIR No.226/2022 PS Laxmi Nagar under Sections 302/149/120B/34 IPC.
2. By the impugned order, the revision petition by the petitioner, assailed the impugned order dated 8th January 2024 passed by the Metropolitan Magistrate where application for issuance of proceedings under Section 82 Cr.P.C., moved by the IO, were allowed.
3. By a previous order dated 15th April 2023, it was noted that pursuant to Section 82 Cr.P.C. proceedings, the petitioner was declared a '*proclaimed person*' rather than a '*proclaimed offender*'. Order of 15th April 2023 was passed correcting the situation and noting that it does not preclude the IO from seeking fresh NBWs against the accused or issuance of fresh notice. Accordingly, fresh NBWs were issued which however remained unexecuted



and therefore, proceedings under Section 82 Cr.P.C. were initiated.

4. The impugned order has rightly held that there is no infirmity in the order passed by the Metropolitan Magistrate.

5. Accordingly, this petition is dismissed along with pending applications.

6. Counsel for petitioner seeks liberty to move trial court in this regard. They may do so, if so permitted, in accordance with law.

7. Order be uploaded on the website of this Court.

ANISH DAYAL, J

JULY 26, 2024/sm