

\$~87



* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 6663/2024**

RAHUL SHARMA

.....Petitioner

Through: Mr. Abhay Kumar, P.C.
Jha, Mr. Shailesh Kumar
& Mr. Surendra Tyagi,
Advs.

versus

THE STATE (NCT OF DELHI)Respondent

Through: Mr. Naresh Kumar
Chahar, APP for the State
along with Mr. Nahush
Khera, MR. Gujan
Kaushik, Mr. Tapan
Sangal & Mr. Chaman
Prakash, Adv.
Ms. Meenakshi Dahiya,
APP for the State
SI Nishant, PS- Gulabi
Bagh

CORAM:
HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER
27.08.2024

%

1. The matter has been listed on transfer since the Hon'ble Mr. Justice Anoop Kumar Mendiratta is on leave today.

CRL. M.A. 25423/2024 (for exemption)

2. Exemptions allowed, subject to all just exceptions.
3. The application stands disposed of.

CRL.M.C. 6663/2024

4. The present petition is filed challenging the order dated 21.08.2024 (hereafter '**the impugned order**'), passed by the learned Trial Court, in SC No.375/2023 arising out of FIR No. 267/2022, registered at Police Station Gulabi Bagh, whereby non-bailable warrants were issued against the petitioner.



5. The learned counsel for the petitioner submits that the absence of the petitioner was due to unavoidable circumstances. He submits that the petitioner could not appear before the learned Trial Court on 21.08.2024 due to a bereavement in his family.
6. He submits that the application seeking exemption was filed without the necessary particulars since the Advocate who represented the petitioner before the learned Trial Court could not properly communicate with him.
7. The petitioner is present in the Court today.
8. On being asked, he states that his maternal uncle had expired on 21.08.2024. He undertakes that he will not take any unwarranted adjournments before the learned Trial Court and will always be present in person.
9. Even though this Court finds no infirmity in the order passed by the learned Trial Court, however, since the petitioner is present in person and has undertaken to appear before the learned Trial Court on every date, this Court deems it appropriate to grant one last opportunity to the petitioner.
10. In view of the above, the impugned order is set aside, subject to the petitioner paying a cost ₹5,000/- to the Delhi High Court Legal Service Committee, within a period of four weeks from date.
11. Proof of deposit of cost be furnished to the learned Trial Court.
12. The present petition is allowed in the aforesaid terms.

AMIT MAHAJAN, J

AUGUST 27, 2024
“SK”