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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.REV.P. 1085/2024**
SANJIV KUMAR VASHISTPetitioner
Through: Mr. Sanjiv Vashisht, Advocate.

versus

THE STATE NCT OF DELHI AND ORSRespondents
Through: Mr. Laksh Khanna, APP for State

CORAM:
HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER
% **30.08.2024**

CRL.M.A. 26114/2024 (exemption)

1. Allowed, subject to all just exceptions.
2. The application is disposed of.

CRL.M.C. 1085/2024 & CRL.M.A. 26113/2024 (stay)

1. By way of the present revision petition, the revisionist seeks to assail the orders dated 13.08.2024 and 16.08.2024 passed by the learned ASJ-02, South District, Saket Courts, New Delhi in Sessions Case No.6863/2016 titled 'State v. Ashok Sehrawat and another' vide which on account of non-appearance of the petitioner, cost of Rs.5,000/- was imposed and thereafter bailable warrants were issued against him.
2. The petitioner submits that subsequently, on 16.08.2024, on an application filed by him, the bailable warrants were cancelled, however the order of imposition of cost was not varied. On the said date, the petitioner/complainant was late by few minutes, as the order itself reflects that he had joined the proceedings at 12:26 hours.
3. Issue notice.



4. Notice is accepted by learned APP for State, who submits that the impugned order records that the petitioner has been deliberately avoiding appearance. He submits that the FIR in the present case relates to the year 2012 and the case is pending for examination of the petitioner and the IO. He requests that the petitioner be bound for appearance on the next date of hearing i.e. 31.08.2024 fixed before the learned Trial Court.

5. The petitioner submits that since the matter is listed for tomorrow, he undertakes to appear before the Trial Court tomorrow i.e., on 31.08.2024. He further undertakes to depose before the learned Trial Court as and when directed by the learned Trial Court and will not seek any exemption. The statement made on behalf of the petitioner is accepted and is taken on record and he is made bound by the same.

6. Subject to the petitioner's appearing before the learned Trial Court as and when directed, the impugned order whereby cost of Rs.5,000/- was imposed is set aside

7. The petition is disposed of in above terms along with pending application.

DASTI

MANOJ KUMAR OHRI, J

AUGUST 30, 2024/rd