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

+ CRL.M.C. 1557/2024 & CRL.M.A. 6080/2024 (delay in Re-filing),
CRL.M.A. 6079/2024 (Exemption)

INDER

..... Petitioner

Through: Appearance not given.

versus

STATE AND ANR.

..... Respondents

Through: Mr. Nawal Kishore Jha, APP for
the State.

SI Vinay, PS Sunlight Colony.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

26.02.2024

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1. The present petition under Section 482 of the CrPC seeks following prayers:-

“It is therefore, most respectfully prayed that, on the grounds pleaded herein before, the Hon’ble Court may be pleased to:

a. Quash/Set aside the impugned order dated 14.10.2023 passed by the Hon’ble Court of Sh. Subhash Kumar Mishra, ASJ, Saket Court, New Delhi in Criminal Appeal No. 141/2022 titled as Inder vs. State and Anr whereby the Hon’ble Appellate Court was wrongly pleased to dismissed the application of the appellant/applicant filed under section 391 CrPC seeking additional evidence before the Hon’ble Appellate Court as the Hon’ble Trial Court was not provided adequate opportunity to the appellant/applicant during the trial.

(ii) Pass such other order and/or direction, as this Hon’ble Court may deem fit proper under the facts and circumstances of the present case and in the interest of Justice.”

2. Learned counsel appearing on behalf of the petitioner seeks leave to withdraw the present petition with liberty to file a fresh petition with better



particulars.

3. Leave and liberty granted.
4. The present application is dismissed as withdrawn and disposed of accordingly.
5. Pending application(s), if any, also stand disposed of.

AMIT SHARMA, J

FEBRUARY 26, 2024/sn