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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 9471/2024 CRL.M.A.36337/2024 CRL.M.A.36338/2024
SANJAY KUMARPetitioner

Through: Mr. K B Upadhyay & Ms. Kalpana,
Advocates

versus

STATE GOVT OF NCT OF DELHI AND ANRRespondents

Through: Mr. Digam Singh Dagar, APP for
State

CORAM:
HON'BLE MR. JUSTICE ANISH DAYAL

ORDER
03.12.2024

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1. This petition has been filed assailing impugned judgment dated 23rd July 2024 in CC No.12324/2016 passed by JMFC/MM-07, Shahdara, Karkardooma Courts. By the said order, proceedings under Sections 82 Cr.P.C. were issued against the petitioner.
2. Counsel for petitioner submits that proceedings under Section 138 NI Act were initiated on behalf of respondent no.2/complainant; summons were issued in 2017; in 2019 affixation was done at the address L-41, Ground Floor Kalkaji, Delhi-110019, from where he had moved out in 2017 itself.
3. As per the record, it is stated that statement of owner of the said house was also recorded. He stated that Sanjay Kumar (petitioner herein) and K P Singh, used to live on the ground floor and they had vacated the said premises 4-5 years back. However, basis a wrong affidavit submitted by complainant in June 2024, proceedings under 82 Cr.P.C. was issued *vide*



the impugned order. Subsequently co-accused K P Singh was arrested on 18th November 2024, which is when the petitioner came to know about these proceedings.

4. It is informed that petitioner currently resides at H. No. 68B, DDA Flats, Pocket A-12, Kalkaji Extension, South Delhi, Delhi-110019, as mentioned in affidavit in support.

5. Counsel for petitioner states that marriage of petitioner's daughter is fixed for 11th December 2024, and therefore pleads for some time, for petitioner to appear before the Trial Court.

6. In these facts and circumstances as noted above, petitioner is directed to appear before the Trial Court on 17th December 2024, and will get his current address recorded, as well as furnish bail bonds pursuant to requisite directions by the Trial Court.

7. In the meantime, no coercive steps be taken against petitioner till 17th December 2024.

8. Petition stands disposed of with these directions. Pending applications are disposed of as infructuous.

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

ANISH DAYAL, J

DECEMBER 3, 2024/sm/tk