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

+ **CRL.M.C. 184/2025 & CRL.M.A. 1001/2025**

SMT. KALPANA RAJPUT & ORS.

.....Petitioners

Through: **Mr. Amit Sharma, Advocate.**

versus

STATE (N.C.T. OF DELHI) & ANR.

.....Respondents

Through: **Mr. Sunil Kumar Gautam, APP with
SI Priya, PS: Palam Village.**

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

15.01.2025

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1. The present petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita 2023 (earlier Section 482 of Cr.P.C.) seeks quashing of orders dated 16th December, 2024 and 23rd December, 2024 passed by the Trial Court in case no. 6161/2019 emanating from FIR No. 298/2018, PS: Palam Village under Sections 498A/406/34 IPC in case titled ***State v. Ankur Rajput & Ors.***

2. Petitioners are the accused in the aforementioned proceedings. The trial Court *vide* order dated 16th December, 2024 and 23rd December, 2024, imposed costs on Petitioners herein to be paid to the Complainant. The Court further directed them to be physically present before the Court on the next date of hearing, failing which coercive action would be taken against them.

3. Counsel for Petitioner states that the costs are unreasonable. He



further submits that in terms of Office Order No. 01/RG/DHC/2023 dated 05th June, 2023 issued by High Court of Delhi, District Courts can permit any party and/ or their counsel to appear through hybrid/ video conferencing mode during court proceedings without there being any requirement of a prior request for the same. Counsel for Petitioner states that the accused persons had appeared before the Trial Court through video conferencing mechanism and therefore, the Court ought not to have insisted on personal appearance.

4. In the opinion of the Court, personal presence of accused persons can be necessary under certain circumstances for which the Trial Court is competent to take a view. However, in case personal presence is not necessary, exemptions can be granted for appearance through video conferencing mechanism. In such circumstances, in the opinion of the Court, the grievances urged in the present petition must be urged before the Trial Court through appropriate application, which shall be considered on its own merits.

5. With the above directions, the present petition is disposed of, along with pending application.

SANJEEV NARULA, J

JANUARY 15, 2025

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