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

+ **CRL.M.C. 1273/2025**

AAKASH KASHYAP

.....Petitioner

Through: Mr. Nikhil Saxena, Mr. Akash
Kashyap, Mr. Lakshay Chauhan &
Mr. Shivam Kumar Tyagi, Advs.

versus

THE STATE NCT OF DELHI

.....Respondent

Through: Mr. Pardeep Gahlot, APP.

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

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21.02.2025

CRL.M.A. 5672/2025 & CRL.M.A.5778/2025

Exemption allowed, subject to all such exceptions.

The applications are disposed of.

CRL.M.C. 1273/2025

1. This is a petition filed under Section 528 of BNSS (482 of Cr.P.C) seeking quashing of the proceedings initiated under Section 82 of Cr.P.C. dated 14.10.2024, wherein the petitioner has been declared a 'Proclaimed Offender'.
2. It is stated by Mr. Nikhil Saxena, learned counsel for the petitioner that in the present case, the petitioner appeared through VC before the concerned court and the petitioner in person could not appear as he was suffering from fracture in the spine and was advised bed rest.
3. Issue notice. Mr. Gahlot, learned APP accepts notice and has



addressed his arguments.

4. I am of the view that the purpose of proceedings under Section 82 of CrPC is to ensure the presence of the accused before the court. In the present case, the petitioner is not avoiding appearing in Court as the petitioner moved an application seeking cancellation of Section 82 CrPC proceedings and was not only represented by an Advocate but also appeared through VC. The physical non-appearance of the petitioner before the Court was on account of the petitioner having a fracture in the spine.
5. Mr. Saxena, learned counsel for the petitioner assures that the Court that the petitioner shall now appear before the Court on each and every hearing in person and through his counsel as well, until and unless specifically exempted by the concerned court.
6. Taking his statement on record and binding the petitioner to the same, the petition is allowed and the proceedings initiated under section 82 of CrPC dated 14.10.2024 is quashed.
7. The petition is disposed of.

JASMEET SINGH, J

FEBRUARY 21, 2025/pk

[Click here to check corrigendum, if any](#)