



\$~46

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

+ CRL.M.C. 8244/2023 & CRL.M.A. 30662/2023

SUBHASH LALWANIPetitioner

Through: Mr. Sunil Choudhary, Advocate.
versus

THE STATE OF GOVT. OF NCT DELHIRespondent
Through: Ms. Shubhi Gupta, APP for the State.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

27.03.2025

%

1. This hearing has been done through hybrid mode.
2. The present petition under Section 482 of the Cr.P.C. seeks the following prayers:-

“a) Set aside the impugned order dated 31.07.2023 and quashing the proceeding whereby the petitioner was declared proclaimed absconder and the non bailable warrant passed in Cr. No. 1042/2022 bearing FIR no. 774/2015 P.S. Huaz Khas, Delhi titled as “State vs. Subhash Lalwani and Anr.” passed by Ms. Vijayshree Rathore, Ld. Metropolitan Magistrate-06, Saket courts, Delhi;

Pass any other order or direction which this Hon’ble Court may deem fit and proper in favour of the applicant, in the interest of justice.”

3. Learned counsel appearing on behalf of the petitioner submits that the latter has been declared as a proclaimed absconder *vide* the impugned order dated 31.07.2023. It is submitted that the chargesheet was filed without arrest and the FIR was settled with the complainant *vide* settlement dated 21.04.2016. It is submitted that the notice has been served on the petitioner on his previous address which has been left in the year 2021. It is pointed out that subsequent to the interim protection granted by the learned predecessor



Bench of this Court *vide* order dated 08.11.2023, the petitioner has appeared before the learned Trial Court and the matter has officially been compounded and he has been acquitted *vide* order dated 14.12.2023. Learned APP for the State does not dispute the fact that the petitioner has appeared before the learned Trial Court and has been acquitted *vide* the aforesaid order.

4. Accordingly, in view of the fact that the petitioner has appeared before the learned Trial Court and has since been acquitted from the subject FIR, in the interest of justice, the present petition is allowed and the impugned order dated 31.07.2023 is set aside.

5. The present petition is disposed of accordingly.

6. Pending application(s), if any, also stands disposed of.

AMIT SHARMA, J

MARCH 27, 2025/sn/sc

Click here to check corrigendum, if any