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

+ **CRL.M.C. 4378/2024**

MOHIT ARORA

.... Petitioner

Through: Mr. Siddharth Guatam, Mr. Satya
Kam Sharma, Ms. Ankita Baluni,
Advocates.

versus

STATE OF NCT OF DELHI

..... Respondent

Through: Mr Hitesh Vali, APP for the State
with ASI Jitender Singh, PS Malviya
Nagar.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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28.05.2024

CRL.M.A. 16634/2024

1. Allowed, subject to all just exceptions.

CRL.M.C. 4378/2024 & CRL.M.A. 16635/2024

2. The present petition has been filed against the impugned order dated 08.11.2023 passed in CR case No. 4781/2021 titled as 'State vs. Mohit Arora' passed by the learned Metropolitan Magistrate – 02, South Saket Courts, New Delhi.

3. *Vide* impugned order dated 08.11.2023, the learned Metropolitan Magistrate has issued the process under Section 82 CrPC whereas *vide* impugned order dated 24.02.2024, the learned Metropolitan Magistrate has directed the issuance of NBWs qua surety of accused no. 2 (petitioner



herein) through SHO concerned returnable on the next date.

4. The learned counsel for the petitioner submits that the petitioner was neither served with the bailable warrants nor with the NBW which is a pre-condition for issuance of process under Section 82 CrPC.

5. He submits that the subject matter of the dispute in the present case is Rs.500/- and the offences invoked are compoundable. He further submits that the parties are in the process of exploring the possibility of compromise.

6. Issue notice. Learned APP for the State accepts notice.

7. Let status report be filed before the next date.

8. Considering the submissions made by the learned counsel for the petitioner, the process issued against the petitioner under Section 82 CrPC is deferred till the next date.

9. Re-notify on 30.09.2024.

VIKAS MAHAJAN, J

MAY 28, 2024
MK