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

+ **CRL.M.C. 9410/2024**

SAURABH KUMAR PANDEY

.....Petitioner

Through: Mr. Kirti Uppal, Sr. Adv., Mr. Sugam Mishra, Ms. Archisha Satyarthi, Advs.

versus

GOVT OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Aman Ushman, APP
SI Surender Das, PS Safdarjung Enclave

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

% **02.12.2024**

CRL.M.A. 36081/2024-EX. & CRL.M.A. 36082/2024-EX.

1. Exemption allowed, subject to all just exceptions.
2. The applications stand disposed of.

CRL.M.C. 9410/2024

3. This is a petition seeking quashing of FIR No 141/2024 dated 19.05.2024 under section 174A of IPC registered in PS, Safdarjung Enclave, Delhi.
4. The FIR is predicated on the fact that the petitioner failed to appear before the learned MM.
5. It is stated by Mr. Uppal, learned senior counsel that the father of the petitioner was critically ill and eventually passed away. Hence, the petitioner was in a fragile state of mind.
6. Issue notice to the respondent on the petitioner taking requisite steps through all permissible modes including electronic within one week from today.



7. List on 07.03.2025.

CRL.M.A. 36080/2024

8. This is an application seeking stay in the proceeding in Complaint Case No.856/2016 (previously CC No.471297/2016), CT Case No. 1279/2016 (previously CC No.464748/2016) and CT Case No.1280/2016 (previously CC No. 464747/2016) pending before the learned Trial Court.

9. I am of the view that in the present case the main prayer is only seeking quashing of FIR No 141/2024.

10. The purpose of proceedings under section 82 Cr.PC is to ensure appearance of the accused persons before the Court to answer the charges against them. It is only when they do not appear that proceedings under Section 174A of IPC are initiated.

11. In the present case, the learned senior counsel on instructions state that the petitioner will appear on each and every date before the concerned court and will participate in the proceedings.

12. For the said reason, till the next date of hearing, subject to the petitioner faithfully appearing before all the competent courts and the IO in CT Case No. No.856/2016 (previously CC No. 471297/2016), CT Case No. 1279/2016 (previously CC No. 464748/2016) and CT Case No. 1280/2016 (previously CC No. 464747/2016), the petitioner shall not be arrested.

13. List on 07.03.2025.

14. *Dasti.*

JASMEET SINGH, J

DECEMBER 2, 2024/NG