

Rajdeep Singh Vs. Pradeep Tripathi

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Court : Madhya Pradesh

Decided On : Mar-22-2013

Appellant : Rajdeep Singh

Respondent : Pradeep Tripathi

Advocate for Def. : Shri. Ajay Tiwari

Advocate for Pet/Ap. : Shri. K.D.Singh

Judgement :

Mcr.C.No.1822 o

22. 03.13 Shri K.D.Singh, counsel for the applicant.

Shri Ajay Tiwari, counsel for the respondents.

This case is listed today for appropriate order on not compliance of the court order 13.2.13 by the applicant so also for consideration of IA No.5885/13 respondent's application for vacating ex- parte stay granted earlier.

In the available circumstances of the matter, instead to hear the case on the aforesaid objection or not compliance of order dated 13.2.13 as well as the aforesaid IA for vacating the stay or the stay application of the applicant IA No.3267/13, with the consent of the parties, this petition is taken up for final disposal.

Counsel present are heard on merits.

The applicant/ accused has filed this petition under section 482 of the Cr.P.C being aggrieved by the order dated 8.1.13 passed by VI the ASJ.Rewa in Cr.R.No.298/12 (Annex.A-1) affirming the order dated 9.10.12 passed by JMFC, Rewa in Criminal Case No.189/10 whereby the application of the applicant/accused to summon one Raj Kumar as his defense witness in the matter, has been rejected.

Initially the case was argued at length by the applicant's counsel but in view of section 139 of the Negotiable Instrument Act, on making certain query from him, on which, instead to argue further at this stage, seeks permission to withdraw this petition as not pressed with liberty to raise all the objection and grounds stated in the petition, subject to final judgment of the trial court, on arising the occasion in a duly constituted appeal or other criminal proceedings permissible under the law.

Considering the aforesaid prayer, this petition is dismissed as withdrawn and not pressed with liberty aforesaid.

(U.C.Maheshwari) Judge MKL

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