

Deeviya Khanna vs.state

Deeviya Khanna vs.state

SooperKanoon Citation : sooperkanoon.com/1204082

Court : Delhi

Decided On : Nov-04-2016

Appellant : Deeviya Khanna

Respondent : State

Judgement :

\$~ * IN THE HIGH COURT OF DELHI AT NEW DELHI DECIDED ON : NOVEMBER04 2016 CRL M.C.4103/2016 & CrI.M.A.17188/2016 DEEVIYA KHANNA

... Petitioner

Through : Mr.Varun Chandiok with Mr.Taron Chandiok, Advocate. versus STATE
CORAM: HON'BLE MR. JUSTICE S.P.GARG Through : Mr.M.S.Oberoi, APP. SI
Randeep, PS Prashant Vihar. Respondent + S.P.GARG, J.

(ORAL) 1. Present petition under Section 482 Cr.P.C. has been preferred by the petitioner seeking directions to the respondent/State to trace out the whereabouts of the accused persons charge-sheeted in case FIR No.188/2009 under Section 498-A/4

IPC registered at Police Station Prashant Vihar.

2. I have heard the learned counsel for the petitioner and have examined the file. Undisputedly, FIR No.188/2009 was lodged at Police Station Prashant Vihar. Charge-sheet has since been filed. The accused persons have not put

appearance therein. Compromise Deed dated Crl.M.C.4103/2016 Page 1 of 2 1.11.2011 (Annexure P-2) is on record whereby the parties resolved all their disputes on certain terms and conditions incorporated therein.

3. Perusal of the file further reveals that sincere efforts have been made by the Trial Court to ensure and procure the presence of the accused persons charge-sheeted. Coercive steps have been taken and non-bailable warrants have been issued against the accused persons. These could not be executed due to incomplete address and non-availability of the accused persons at the given address. Process under Section 82 Cr.P.C. has further been initiated. Surety bonds have been forfeited and the FDR lying with the Punjab National Bank has been seized. Order dated 8.6.2016 reveals that accused Inder Prakash has not drawn pension for the last two and a half years. The learned Trial Court has even issued notice to the DCP to file final report regarding mobile numbers given. The next date of hearing before the Trial Court is 15.12.2016.

4. Since all the relevant effective steps have been taken by the learned Trial Court to ensure the presence of the accused persons and due procedure has been followed, I find no illegality or irregularity in the impugned orders to pass any further directions to the State.

5. The petition being devoid of merits is dismissed in limine. Pending application also stands disposed of. (S.P.GARG) JUDGE NOVEMBER04 2016 sa Crl.M.C.4103/2016 Page 2 of 2