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

+ CRL.M.C. 2930/2015 & CrI.M.A.No. 10451-52/2015

HARI SINGH Petitioner

Through: Mr. Akshay Chandra, proxy
counsel for petitioner

versus

MEGH SINGH Respondent

Through: Nemo.

**CORAM:
HON'BLE MR. JUSTICE SUNIL GAUR**

% **ORDER**
24.07.2015

Lawyers are abstaining from work today.

In proceedings under Section 138 of *The Negotiable Instruments Act, 1988* trial court has directed issuance of non-bailable warrants as also proceedings under Section 82 of the Cr.P.C. against the petitioner, which is challenged in this petition on the ground that he was never served at the correct address.

If it is so, then let petitioner file an application for recalling of non-bailable warrants and proceedings under Section 82 of the Cr.P.C. before the trial court.

At this stage, learned proxy counsel appearing for petitioner submits that application for recalling of non-bailable warrants and proceedings under Section 82 of the Cr.P.C. has already been moved before trial court and it is pending consideration.

If any such application is pending before the trial court, then let the trial court first decide the application and thereafter proceed in accordance with the law. Needless to say that the stay of the proceedings shall continue till the trial court decides petitioner's application under Section 82 of the Cr.P.C..

With aforesaid directions, this petition and application are disposed of.

Dasti.

(SUNIL GAUR)
JUDGE

JULY 24, 2015

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