

AB No. 41 of 2018

BEFORE

**HON'BLE MR. JUSTICE N. KOTISWAR SINGH**

27.06.2018

This Court had passed an order in Cril.Rev. Petn. No. 15 of 2018 on 27.06.2018 as follows :

"Heard Mr. N. Jotendro, learned Sr. Counsel assisted by Mr. Syed Murtaza Ahmed, learned counsel for the petitioner. Heard also Mr. Athouba Khaidem, learned PP for the State.

In the present petition, the petitioner has challenged the order dated 07.05.2018 by which the petitioner has been declared as a proclaimed offender.

Mr. Jotendro, learned Sr. Counsel for the petitioner submits that the petitioner could not attend the Court for genuine reasons and submits that he has no intention to evade the process of law and accordingly, has prayed for suspending the order dated 07.05.2018 and he submits that he is willing to appear before the Court any day as directed by this Court.

Accordingly, the petitioner shall present himself before the Court of Ld. Chief Judicial Magistrate, Imphal West on Friday i.e., 29<sup>th</sup> June, 2018 on which date he may file necessary application for recalling the order passed on 07.05.2018 by the learned Chief Judicial Magistrate, Imphal West in Cril. Misc. Case No. 80 of 2018.

Considering the above, this Court is of the view that the present petition can be closed with the direction to the petitioner to appear before the Court of learned Chief Judicial Magistrate, Imphal West on 29.06.2018 and the learned Chief Judicial Magistrate, Imphal West on consideration of the application so filed for recalling the order dated 07.05.2018 may pass appropriate orders in accordance with law.

With the above observation and direction, petition stands disposed of with the clarification that this order will be deemed to be *non est* if the petitioner does not present himself before the Court of Ld. CJM, Imphal West on 29.06.2018.

Copy of this order may be furnished to learned counsel for all the parties."

Accordingly, the present petition is disposed of as infructuous as the petitioner has already gave an undertaking before this Court for surrendering before the Court on 29<sup>th</sup> June, 2018 and as such he may not be subjected to arrest by the police in connection with this case.

Copy of this order may be furnished to learned counsel for all the parties.

**JUDGE**

*Sushil*