
(2018) 02 DEL CK 0600

In the Delhi High Court

Case No : Criminal Writ Petition No. 18 Of 2015, Criminal Miscellaneous Application No. 54 Of 2015 & Criminal Writ Petition No. 19 Of 2015, Criminal Miscellaneous Application No. 56 Of 2015 & Criminal Writ Petition No. 20, 21 Of 2015, Criminal Miscellaneous Application No. 59, 64 Of 2015

Inder Kumar

APPELLANT

Vs

State Of Nct Of Delhi & Anr

RESPONDENT

Date of Decision : 26-02-2018

Acts Referred:

Constitution Of India, 1950 — Article 226, 227
Code Of Criminal Procedure, 1973 — Section 482

Citation : (2018) 02 DEL CK 0600

Hon'ble Judges : S.P.Garg, J

Bench : Single Bench

Advocate : Alok Bhachawat, Kamna Vohra

Final Decision : Disposed Of

Judgement

S.P.Garg, J

1. Present writ petition has been preferred by the petitioner under Article 226/227 of the Constitution of India read with Section 482 Cr.P.C. to

challenge the legality and correctness of orders dated 30.09.2014 and 02.12.2014 of learned Addl. Sessions Judge in Crl.Rev.P.No.10/2014 whereby

costs ` 3,500/- were ordered to be recovered from his salary and also to expunge deprecatory remarks recorded in the order dated 02.12.2014.

2. During the course of arguments, copy of the order dated 21.07.2015 in Crl.M.C. 2082/2015 by this Court was placed on record by the learned Addl.

Standing Counsel for the State.

3. Perusal of the order dated 21.07.2015 reveals that State had challenged the

orders of the learned Sessions Judge whereby costs ` 3,500/- were imposed upon the State and ordered to be recovered from the salary of the present petitioner by an order dated 30.09.2014. This Court without commenting on the merits of the case allowed the petition and set aside the orders dated 15.04.2014, 30.09.2014 and 02.12.2014 to the extent of imposing and realization of cost from the salary of learned Addl. Public Prosecutor.

4. Apparently, the relief sought by the petitioner has already been given in the said proceedings initiated by State. Since the orders dated 15.04.2014, 30.09.2014 and 02.12.2014 have been set aside, no recovery of ` 3,500/- shall be effected from the salary of the petitioner, and if already deducted, it shall be remitted back to him in compliance of the order dated 21.07.2015. Needless to say, any adverse observations in the said orders upon the work and conduct of the petitioner stand deleted and expunged.

5. The writ petition stands disposed of. Pending application also stands disposed of.