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

+ **W.P.(CRL) 1145/2011**

RAJNI MALHOTRA

..... Petitioner

Through: Mr. R.S. Juneja with Mr. A.S. Juneja,
Adv.

versus

STATE OF DELHI & ORS

..... Respondents

Through: Ms. Urvi Kuthiala, Adv. for Mr.
Rajesh Mahajan, ASC with SI
Jagdeep Malik, PS. Geeta Colony.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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11.11.2011

By this petition, the Petitioner seeks a mandamus to the Respondents not to harass and interfere in the personal life and liberty of the son of the Petitioner.

On a notice being issued, a status report has been filed. As per the status report, the Petitioner's son Nitish Malhotra was charge sheeted in the case FIR No.77/2008 under Sections 379/411/34 IPC registered at P.S. Krishna Nagar along with Kamal Kant @ Karan and Gagan Bindra. In the said case, the son of the Petitioner was acquitted by the learned Metropolitan Magistrate. The co-accused Kamal Kant @ Karan has been charge sheeted

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in another case being FIR No.408/2011 under Section 21 NDPS Act, 1985 and 411 IPC registered at PS Shakar Pur. Though the Petitioner has alleged that two police officers from PS Geeta Colony came to her house and asked her to produce her son before the SHO, PS Geeta Colony, however, on enquiry it was found that none of the police officer of PS Geeta Colony had visited the house of the Petitioner as alleged nor the son of the Petitioner was wanted/suspected in any case at PS Geeta Colony at present.

Thus, it appears that prima facie the present petition has been filed as to preemptory petition from being investigated in the FIR No. 408/2011 registered against the co-accused. The Petitioner is not required in any case at present. No blanket orders can be passed in this petition except directing that as and when Petitioner's son is required for enquiry or otherwise action thereon will be taken by the Respondent in accordance with law.

The petition is disposed of.


MUKTA GUPTA, J.

NOVEMBER 11, 2011
vkm

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