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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(CRL) 849/2015
GURINDER PAL SINGH DHALL & ORS Petitioners

Through Mr.Gurmehar S. Sistani, Adv.

versus

STATE NCT OF DELHI & ORS Respondents
Through Mr.Rajesh Mahajan, ASC.
Insp.Vinod Gandhi EOW.
Ms.Monica Chugh Manchanda, Adv.
for R3.

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

% **10.12.2015**

The present petition is directed against the embargo imposed by the Delhi Police as also for quashing of the letter dated 13.01.2010 issued by EOW, Crime Branch, New Delhi, and all other consequential action and orders as the aforesaid EOW embargo under Section 102 of the Code of Criminal Procedure was in teeth of the conditions which ought to have been satisfied before a notice under section 102 Cr.P.C. could be given.

Mr.Rajesh Mahajan, Additional Standing Counsel, at the outset, stated that the accused company namely M/s. Triveni Infrastructure Development Co. Ltd. had earlier filed a Writ Petition (Criminal) No.390/2010 seeking quashing of notices and communications under Section 102 of the Cr.P.C. issued by EOW, New Delhi.

This Court by order dated 13.05.2011 passed in W.P.(Crl.) No.390/2010 constituted a committee headed by Hon'ble Mr. Justice Anil

Dev Singh and Hon'ble Mr. Justice P.K. Bahri to supervise the management of the company and refund the investors after selling off all the assets and properties of the company.

Mr.Mahajan further informs this Court that the High Court also directed that all the action initiated by EOW in exercise of powers under Section 102 of the Cr.P.C. be substituted by an undertaking on behalf of the existing directors of the company to the fact that they shall not sell or create third party rights in the properties in their name/immediate family members or in the name of the company or its subsidiaries acquired subsequent to 21.02.2006 which is the date of incorporation and commencement of the business of the company, till the date of constitution of the committee.

A provisional liquidator was also appointed by order dated 17.10.2010 under Section 450 of the Companies Act. The Official Liquidator was directed to take possession of all the records and assets of the company in liquidation.

Thus, in this view of the matter, the grievance of the petitioner has already been redressed and therefore the prayer:

(a) "Issue a writ/direction quashing the embargo imposed by the EOW, Delhi Police and letter dated 13.01.2010 issued by the EOW, Crime Branch, New Delhi and all other consequential actions and orders arising there-from;"

is not required to be acceded to.

The petition has become infructuous.

Dismissed as having become infructuous.

ASHUTOSH KUMAR, J

DECEMBER 10, 2015/ab