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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 1669/2016, CrI. M.A. No. 7109/2016, 7110/2016
RAJIV ANAND

..... Petitioner

Through: Mr.G. Harihar, Advocate

versus

STATE OF NCT OF DELHI

..... Respondent

Through: Mr. Amit Chadha, Additional Public
Prosecutor for the State with ACP
Sachin Lamba.

CORAM:

HON'BLE MR. JUSTICE P.S.TEJI

ORDER

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10.05.2016

Crl. M.A. No.7109/2016 (Exemption)

Exemption allowed subject to all just exceptions.

Application stands disposed of.

Crl. M.A. No.7110/2016 (condonation of delay)

By this application filed under Section 482 of Cr. P.C., the petitioner seeks condonation of delay of 46 days in filing the accompanying petition.

For the reasons stated in the application, the same is allowed and the delay of 46 days in filing the accompanying petition is condoned.

Application stands disposed of.

CRL.M.C. 1669/2016

By this petition filed under Section 482 of Cr. P.C., the petitioner is seeking quashing of order dated 22.02.2016 and 23.02.2016 passed by learned Additional Sessions Judge, Special Court, Karkardooma, Delhi, whereby the custody of the petitioner is permitted to the investigation agency in FIR No. 1227/2015.

During the course of hearing, Mr. Amit Chadha, Additional Public Prosecutor appearing on behalf of the State informed this Court that by virtue of order dated 22.02.2016, the accused was produced before the Court on 23.02.2016 and after making the inquiries, he has been sent back to the custody.

Undisputedly, the order dated 22.02.2016 is already operative and no more action is required to be taken in pursuance thereto.

Since the order is now no more operative, and the Investigating Officer – ACP Sachin Lamb, who is present in Court, has also submitted that the petitioner is now no more required in the police custody for investigation in this case and his request dated 22.02.2016 has already been put in operation.

In view of the aforesaid, no further directions can be passed in the present case.

The grievance of the petitioner is that the petitioner is in judicial custody and he has submitted that the petitioner cannot be kept in the judicial custody in the FIR in question. This Court

observes that the said contention of counsel for the petitioner is not the part of the present petition therefore, the same can it be dealt with. However the petitioner will be at liberty to approach the concerned Court regarding release of the petitioner from the judicial custody.

In view of the aforesaid observations, the present petition is disposed of with liberty as indicated above.

P.S.TEJI, J

MAY 10, 2016

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