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

+ **W.P.(CRL) 1475/2016 & CRL.M.A.7709/2016**

ADITYA TIWARI

..... Petitioner

Through: Mr. Wajeeh Shafiq, Advocate

versus

DELHI POLICE

..... Respondent

Through: Mr. Ashish Aggarwal, ASC (Criminal)
with Inspector Birender, PS- DIU/South-
West

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

ORDER

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11.05.2016

The present is a petition under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 (Cr.P.C.) seeking a mandamus to the official respondent not to harass the petitioner by resorting to any intimidation, coercion or any other illegal course against the petitioner in FIR No.141/2015, under Section 420/120B/34 IPC, registered at Police Station- Sonia Vihar, Delhi.

Counsel appearing on behalf of the petitioner, however, limits the relief in the present petition to a direction to the IO in the subject FIR to conduct free and fair investigation, without causing any harassment to him.

In this behalf, counsel appearing on behalf of the petitioner states that the petitioner has since met with an accident and is hospitalized in Meerut, Uttar Pradesh. It is, therefore, prayed that at this stage the documents required by the police in the subject FIR may be allowed to be dispatched to the IO in the subject FIR, within a period of one week from today.

Notice.

Mr. Ashish Aggarwal, learned Additional Standing Counsel (Criminal),

appearing on behalf of the official respondent on advance notice, on instructions from the IO in the subject FIR namely, Inspector Birender, Police Station-DIU/South West, states that if they receive the requisite documents within one week from today from the petitioner, they shall not require his presence at the Police Station, in view of the admitted circumstance that he is hospitalized.

Directed accordingly.

However, it is made clear that the petitioner shall continue to cooperate with the police, as and when called upon to do so, upon a reasonable notice in this behalf.

With the above directions, the writ petition is disposed of. Pending application also stands disposed of.

SIDDHARTH MRIDUL, J

MAY 11, 2016

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