

\$~39

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

+ CRL.M.C. 1916/2016

POONAM

..... Petitioner

Through Mr.V.Elanchezhian, Adv.

versus

STATE OF NCT DELHI & ORS

..... Respondent

Through Mr.Izhar Ahmad, APP.

CORAM:

HON'BLE MR. JUSTICE P.S.TEJI

ORDER

%

14.07.2016

The main contention of the counsel for the petitioner during the course of arguments is that there is composite order vide which the learned Magistrate has refused to take the cognizance of the complaint and dismissed the application under Section 156(3) Cr.P.C. seeking assistance of the investigating agency.

It has been further argued by the counsel for the petitioner that had there been separate order under Section 200 Cr.P.C. as well as under Section 156(3) Cr.P.C., they he would have the right to file the appeal against the separate order, but since composite order has been passed he is unable to file the appeal. It is further submitted that the petitioner may be permitted to have the remedy under the law and if he fails in the same, then he would invoke the jurisdiction under Section 482 Cr.P.C.

In the facts and circumstances, the present petition is dismissed as withdrawn with the liberty to the petitioner to have the remedy under the law.

Petition as well as applications, if any, are disposed of accordingly.

P.S.TEJI, J

JULY 14, 2016/dd