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

+ CRL.M.C. 4107/2012

DIRECTORATE OF REVENUE
INTELLIGENCE

..... Petitioner

Represented by: Mr. Satish Aggarwala, Adv.

Versus

DEEPAK RISHI

..... Respondent

Represented by: Dr. Ashutosh and Mr. Dalip
Singh, Advs.

CORAM:

HON'BLE MR. JUSTICE SURESH KAIT

ORDER

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29.01.2016

+ **CRL.M.C. 4107/2012**

1. Vide the present petition, petitioner seeks directions thereby setting aside the order dated 29.11.2012 passed by Id. ACMM, New Delhi.
2. Id. Counsel appearing on behalf of the respondent submits that mobile in question was retained by the petitioner/DRI 1½ months prior to the impugned order dated 29.11.2012. However, the same was directed to be released by Id. ACMM vide its impugned order.
3. Being aggrieved, petitioner / Department challenged the aforesaid order and the same was stayed by this Court vide order dated 03.12.2012.
4. Mr. Satish Aggarwala, Id. Counsel appearing on behalf of the petitioner submits that the mobile phone in question was surrendered by the

respondent and the petitioner / Department kept it for the purpose of investigation.

5. More than three years have passed. Since, the respondent already appeared before the investigating authority as claimed by him there is no purpose to retain the mobile phone further.

6. Therefore, I recall the order dated 03.12.2012. Consequently, the department is directed to release the mobile phone within one week from today.

7. Accordingly, the petition is disposed of.

Crl. M.A.19430/2012 (Stay)

Dismissed as infructuous.

SURESH KAIT, J

JANUARY 29, 2016

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