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

+ **W.P.(CRL) 2864/2016**

NAIM @ NAIMUDDIN

..... Petitioner

Through: Mr. Saleem Malik, Advocate.

versus

STATE & ANR

..... Respondents

Through: Ms. Kamna Vohra, ASC along with
ASI Harbir Singh, PS- Karawal
Nagar, for the State.
Mr. Raj Kumar, Advocate for
respondent No.2.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER

28.09.2016

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Crl. M.A. No. 15305/2016

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

W.P.(CRL) 2864/2016

Issue notice. Ms. Vohra accepts notice on behalf of the State.

At the outset, she points out that the present petition has been filed by only one of the accused Naim. However, the FIR mentions three accused persons. The complainant had stated that he could identify the other two

accused, if they are brought before him. He identified Naim having a pistol in his hand. It is also pointed out that the petitioner is absconding. Non-Bailable Warrants has been issued against him and he has not joined the investigation. The identity of the other accused has not been established on account the petitioner not joining the investigation.

In view of the aforesaid circumstances, the FIR in question cannot be quashed at this stage. The petitioner had even earlier preferred another writ petition to seek quashing of the FIR being W.P.(Crl.) No.2180/2016, which had been dismissed as withdrawn. It appears that the petitioner is trying his luck again and again. The petition is abuse of process of law. Accordingly, the same is dismissed with costs of Rs.5,000/-. The costs be deposited with the Delhi Legal Services Authority.

VIPIN SANGHI, J

SEPTEMBER 28, 2016

B.S. Rohella