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

+ **W.P.(CRL) 2254/2015**

SURESH CHAND SHARMA & ANR Petitioners

Through: Mr.D.K.Mishra, proxy counsel for
Mr.Anand Nandan, Advocate

versus

STATE (NCT) OF DELHI & ANR Respondents

Through: Mr. Sanjay Lao, A.S.C. for the State

CORAM:

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

% **11.03.2016**

W.P.(CRL) 2254/2015

1. By way of this writ petition filed under Article 226 of the Constitution of India read with Section 482 of Cr.P.C., petitioners have made the following prayers:-

(i) To quash the order dated 31st August, 2015 passed by learned Metropolitan Magistrate, Patiala House, New Delhi in FIR No.224/2013, PS Vasant Kunj;

(ii) To quash the FIR No.1026/2015 registered at PS Vasant Kunj under Section 409 IPC qua the petitioners.

2. On behalf of the State status report has been filed which is to the following effect:-

“During the course of further investigation, on 08.01.2016, SI Vinod Ahlawat served a notice to the Director, Veterinary Service Department, Civil Line Zone, NDMC, New Delhi for

obtaining certain documents/information and same was duly replied on 11.01.2016 by the Director (VS)/North DMC and Deputy Director (VS) i.e. the present petitioners. The present petitioners have not been served any notice to join investigation in the present case till date. Till today there is no evidence against the accused. The investigation of the case is at a very early stage and necessary evidences are being collected to reach to a logical conclusion. The roll of the petitioner's will only be ascertained after completion of investigation."

3. On behalf of the State, it is submitted that as on date none of the petitioners is wanted as an accused in this case.

4. In view of the submissions made on behalf of the State, this writ petition is dismissed with liberty to the petitioners to avail the remedy, if at subsequent stage the necessity arises.

CRL.M.A.14834/2015

Dismissed.

PRATIBHA RANI, J.

MARCH 11, 2016

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