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

+ W.P.(CRL) 614/2017

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..... Petitioner

Through: Mr. J. Sai Deepak, Advocate with
Mr. Piyush Singh, Adv. & Mr. Ashutosh Nagar,
Advocate

versus

STATE

..... Respondent

Through: Ms. Nandita Rao, ASC (Crl.) with
Mr. Archit Vashistha, Adv.
Mr. Ankit Chouhan, ACP & Insp. Rajeev
Bhardwaj, SHO PS Punjabi Bagh, W/ASI Rekha.

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

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26.05.2017

The Assistant Commissioner of Police, In charge of the Division is present with Station House Officer of Police Station Punjabi Bagh. He submits that the investigation has been concluded and the report under Section 173 Cr.P.C. would be submitted in the court of Metropolitan Magistrate within ten days.

The learned Additional Standing Counsel, on instructions, submits that the State is agreeable that upon the filing of the report under Section 173 Cr.P.C. simultaneously a notice of such event shall be given to the petitioner/the first informant giving her opportunity to appear before the court of Metropolitan Magistrate and make her submissions, as deemed necessary.

Given the contentions urged in the petition at hand, it would be proper that the concerned Metropolitan Magistrate considering the report of investigation shall also ensure the presence of the petitioner by issuing notice to her and taking into consideration her submissions, if any, before passing any order in the nature of taking of cognizance or issuing any further directions.

Ordered accordingly.

The learned counsel for the petitioner agrees to the above arrangement and submits that he may be allowed to withdraw the present petition, reserving the right to raise all the contentions urged here before the Metropolitan Magistrate at appropriate stage.

The petition is disposed of in above terms.

Copy of the order be given *Dasti* to all sides under the signature of Court Master.

Copy of the order shall also be communicated to the concerned Metropolitan Magistrate.

MAY 26, 2017

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R.K.GAUBA, J.