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

+ W.P.(CRL) 1678/2016

LAXMI DEVI

..... Petitioner

Through: Mr. M.L. Yadav, Advocate

versus

STATE (GOVT. OF NCT OF DELHI)

..... Respondent

Through: Mr. Tarang Srivastava, APP for the
State with Mr. Ashish Negi, Adv.
ASI Rameshwar

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

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28.04.2017

The learned counsel for the petitioner submits that he may be allowed to withdraw the petition with liberty to urge all necessary contentions by way of protest petition in the event of the police filing a report under Section 173 Cr.P.C. seeking to close the case. He, however, also submits that appropriate directions may be given for a notice to be given to the petitioner by concerned court of Magistrate after the report under Section 173 Cr.P.C. has been submitted.

The learned Metropolitan Magistrate having the jurisdiction is directed to issue notice to the petitioner in the event of a report under Section 173 Cr.P.C. being submitted on conclusion of case FIR No.1/2016, under Section 302/34 IPC of Police Station R.K.Puram seeking to close the case and to hear the petitioner on her protest petition, if any, submitted at such stage.

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With liberty being granted to the petitioner to urge all relevant contentions in accordance with law at such proceedings as aforesaid, this petition is disposed of.

Copy of the order be given *Dasti*.

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

R.K.GAUBA, J.

APRIL 28, 2017
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