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

+ W.P.(C) 3951/2017

AMARVIR SINGH Petitioner
Through Mr. Umesh Sharma, Advocate.

versus

DIRECTOR GENERAL OF CRPF Respondent
Through Mr. Amit Mahajan, Advocate.

CORAM:

HON'BLE MR. JUSTICE SANJIV KHANNA

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **24.05.2017**

Having heard counsel for the petitioner, we do not think that this Court can hold or observe that the criminal prosecution or cognizance taken by the Court of the Chief Judicial Magistrate, Aligarh is contrary to law and should be set aside or ignored.

2. The petitioner has already filed a petition for quashing of the prosecution and order taking cognizance before the Allahabad High Court and the matter is sub-judice in the said Court. The legality of the prosecution and the cognizance is to be determined and decided by the Allahabad High Court and cannot be made the subject matter in the present writ petition. It is open to the petitioner to rely upon

Section 197 of the Code of Criminal Procedure, 1973 and Section 17 of the Central Reserve Police Force Act before the Allahabad High Court.

3. In view of the cognizance, the Department has followed the sealed cover procedure. This is in consonance with the decision of the Supreme Court in the case of ***Union of India & Ors. Vs. K.V. Janki Raman & Ors.***, AIR 1991 SC 2010. In case the petitioner is exonerated or the criminal prosecution is quashed, the sealed cover would be opened and consequential benefits would be granted to the petitioner.

4. In the aforesaid circumstances, we do not think that any relief can be granted to the petitioner as the orders passed by the respondents are in accordance with law.

5. The writ petition is disposed of with the aforesaid observations.

SANJIV KHANNA, J.

NAVIN CHAWLA, J.

MAY 24, 2017
NA