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

+ **BAIL APPLN. 2523/2016 & CrI.M.B. 2178/2016**

LAL BAHADUR SINGH

..... Petitioner

Represented by: **Mr. Kartichkay Mathur, Adv.**

versus

GOVT. OF NCT OF DELHI

..... Respondent

Represented by: **Mr. Amit Ahlawat, APP with
ASI Narender Singh PS
Bhalswa Dairy.**

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER
16.02.2017

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By this petition the petitioner who is the father-in-law of the complainant in case FIR No. 340/2016 under Sections 498A/406/34 IPC registered at PS Bhalswa Dairy seeks anticipatory bail.

On a specific query put to the learned APP as to whether any approval for arrest of the petitioner has been taken or not till date, learned APP submits on instructions from ASI Narender Singh states that till date no approval has been taken for arrest of the petitioner. It is unfortunate that this fact that there is no approval for arrest of the petitioner was either brought to the notice of the learned Additional Sessions Judge or even this Court. A status report dated 13th February, 2017 has been filed, however there is no

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mention whatsoever that no approval for the arrest of the petitioner has been taken.

DCP North West is directed to look into the matter and take necessary action against the investigating officer who failed to point out necessary facts before the learned Additional Sessions Judge and this Court as well and a report in this regard will be filed within one month.

Since no approval for arrest of the petitioner has been taken, the present petition is premature. In case any approval is granted for the arrest of the petitioner, one week notice prior to arrest will be given to the petitioner.

Petition and application are dismissed. Order dasti.

MUKTA GUPTA, J.

FEBRUARY 16, 2017
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