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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ LPA 701/2017

SHIV SHANKAR GUPTA Appellant
Through Mr. Shakil Akhtar, Advocate.

versus

GOVT OF NCT OF DELHI & ORS Respondents
Through Mr. Anuj Aggarwal with Ms.
Deboshree Mukherjee, Advocates for
respondent Nos.1 to 3 & 6.
SI Rahul Kumar, P.S. Kalkaji.

CORAM:

HON'BLE MR. JUSTICE S. RAVINDRA BHAT
HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% **01.11.2017**

CM No.39321/2017 (exemption)

Exemption is allowed subject to all just exceptions.

LPA 701/2017 & CM No.39322/2017 (seeking permission to file additional documents)

We are of the opinion that the writ petition itself was not maintainable; the appellant had a grievance with respect to the alleged criminal activity and non-registration of the First Information Report. He had recourse to an expedient remedy under Section 156(3) of the Criminal Procedure Code. The appellant is, however, aggrieved, that the status report reflects allegedly false and inaccurate facts.

The appeal is, accordingly, dismissed.

It is clarified that, in case, the appellant approaches the

concerned Magistrate under Section 156(3) of the Criminal Procedure Code, the petition will be dealt with and decided on its own merits in accordance with law, uninfluenced by the remarks in the status report as quoted in the impugned order. The impugned order shall also not come in the way of the petitioner.

S. RAVINDRA BHAT, J

SANJEEV SACHDEVA, J

NOVEMBER 01, 2017
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