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

+ W.P.(CRL) 3564/2017

PUNJAB NATIONAL BANK & ORS

..... Petitioners

Through: Ms.Rebecca M.John, Sr.Advocate
with Mr.Kunal Anand, Advocate

versus

STATE OF NCT OF DELHI & ANR

..... Respondents

Through: Mr.Sanjay Lao, ASC on behalf of
Ms.Kamna Vohra, ASC for the State
with SI Ashok Kumar PS South
Campus

AND

+ W.P.(CRL) 3565/2017

REKHA VERMA

..... Petitioner

Through: Ms.Rebecca M.John, Sr.Advocate
with Mr.Kunal Anand, Advocate

versus

STATE (NCT OF DELHI) & ANR

..... Respondents

Through: Mr.Sanjay Lao, ASC on behalf of
Ms.Kamna Vohra, ASC for the State
with SI Ashok Kumar PS South
Campus

AND

+ W.P.(CRL) 3570/2017

MANOJ KUMAR

..... Petitioner

Through: Ms.Rebecca M.John, Sr.Advocate
with Mr.Kunal Anand, Advocate

versus

STATE (NCT OF DELHI) & ANR

..... Respondents

Through: Mr.Sanjay Lao, ASC on behalf of
Ms.Kamna Vohra, ASC for the State
with SI Ashok Kumar PS South
Campus

CORAM:

HON'BLE MS. JUSTICE PRATIBHA RANI

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ORDER

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20.12.2017

CRL.M.A.21109/2017 in W.P.(CRL.) 3564/2017

CRL.M.A.21111/2017 in W.P.(CRL.) 3565/2017

CRL.M.A.21132/2017 in W.P.(CRL.) 3570/2017

1. Exemption allowed, subject to all just exceptions.
2. The applications are disposed of.

W.P.(CRL.) 3564/2017

W.P.(CRL.) 3565/2017

W.P.(CRL.) 3570/2017

1. The above captioned three writ petitions under Article 226 of the Constitution of India read with Section 482 Cr.P.C. have been filed by the Punjab National Bank through its authorised representative/Chief Manager, Moti Bagh Branch; S.K.Zutshi – DGM/Circle Head and Satish K.Nagpal – Chief Vigilance Officer [writ petitioners in W.P.(Crl.) No.3560/2017], Mrs.Rekha Verma [writ petitioner in W.P.(Crl.) No.3565/2017] and Mr.Manoj Kumar [writ petitioner in W.P.(Crl.) No.3570/2017] with the following prayers:-

- (i) to quash FIR No.0217/2017 under Sections 341/380/454/120-B IPC dated 10th November, 2017 registered at PS South Campus.
- (ii) to set aside the order dated 27th October, 2017 passed by learned Metropolitan Magistrate-06, Patiala House Court, New Delhi under Section 156(3) Cr.P.C. on the complainant of respondent No.2.

2. Ms.Rebecca M.John, learned Senior Advocate for the writ petitioners submits that all the documents on the basis of which the writ petitioners are impugning the order dated 27th October, 2017 whereby directions have been issued for registration of FIR and also for quashing of the FIR No.0217/2017 under Sections 341/380/454/120-B IPC, PS South Campus, have already

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been handed over to the Investigating Officer by them. Learned Senior Advocate further submits that the writ petitioners have no objection if the investigation continues and the documents furnished by them are also considered by the Investigating Officer to carry forward the investigation.

3. After some arguments, learned Senior Advocate Mr.Rebecca M.John submits that in case the investigating officer, after examining the documents furnished by the writ petitioners, does not feel convinced, the grievance of the writ petitioners would be redressed if they are given some reasonable time by the Investigating Officer to avail the remedy as per law.

4. Mr.Sanjay Lao, ASC for the State, on instructions from the Investigating Officer SI Ashok Kumar, who is present in the Court, submits that after examining the documents handed over by the writ petitioners, in case the investigation officer forms an opinion that arrest of the writ petitioners is necessary, seven days notice would be served on them to enable them to avail the remedy as per law.

5. In view of the above assurance given by the learned ASC for the State, on instructions from the Investigating Officer, learned Senior Advocate for the writ petitioners seeks permission to withdraw the writ petitions.

6. Accordingly, the writ petitions are dismissed as withdrawn.

As prayed, copy of the order be given *dasti* to learned counsel for the writ petitioners under signatures of the Court Master.

CRL.M.A.21108/2017 in W.P.(CRL.) 3564/2017

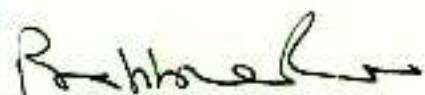
CRL.M.A.21110/2017 in W.P.(CRL.) 3565/2017

CRL.M.A.21131/2017 in W.P.(CRL.) 3570/2017

The applications are dismissed as infructuous.

DECEMBER 20, 2017/ 'hkaur'

W.P.(CRL) Nos.3564, 3565 & 3570 of 2017


PRATIBHA RANI, J.

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