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

+ **W.P.(CRL) 633/2018**

NITESH S/O RAJINDER & ANR

..... Petitioner

Represented by: Mr. Munipalle Sowri Dev and
Mr. Rahul Sangwan,
Advocates.

versus

STATE OF DLEHI & ANR

..... Respondent

Represented by: Ms. Nandita Rao, ASC with
Insp. Madan Lal, PS Mehrauli.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

27.02.2018

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By this petition, petitioners seek directions to the respondents to provide protection to the petitioners for surrendering before appropriate Court and in the alternative grant time to the petitioners for surrendering and till then not to take coercive action.

This is writ petition under Article 226 of the Constitution of India.

The petitioner had filed an application before the learned Metropolitan Magistrate for surrendering in case FIR No. 107/2018 under Section 307/34 IPC. The learned Metropolitan Magistrate on receipt of the application issued notice to the Investigating Officer to appear with the complete case file for deciding the said application and fixed the matter for 23rd February, 2018 at 12:30 PM.

Since the petitioner did not appear till 12:50 PM on 23rd February, 2018, applications were dismissed.

W.P.(CRL) 633/2018

Page 1 of 2

Petition is dismissed as the same is not the appropriate remedy against the order of the learned Metropolitan Magistrate.

MUKTA GUPTA, J.

FEBRUARY 27, 2018
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