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

+ **CRL.M.C. 3244/2018 AND CRL.M.A. 11601-11602/2018**

NARESH KUMAR

..... Petitioner

Through

Mr. Ram Niwas Buri and Mr. Sudeep
Yadav, Advs.

versus

STATE & ORS

..... Respondents

Through

Ms. Rajni Gupta, APP with Insp.
Samar Singh, DIU/NWD.

CORAM:

HON'BLE MR. JUSTICE A. K. CHAWLA

ORDER

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20.06.2018

Heard.

By the petition, the petitioner seeks grant of the prayers as follows :

“(i) direct the investigating officer of FIR No.390/2017 dated 28.6.2017 P.S. Bhalswa Dairy, New Delhi to collect the call details record with Cell Id of the mobile numbers from the mobile services providing companies dated 27.6.2017 to 30.6.2017 as mentioned in para 10 above and produce the same before the learned Trial Court in FIR No.390/2017 dated 28.6.2017 P.S. Bhalswa Dairy, New Delhi and complaint under Section 200 Cr.P.C. r/w 156(3) Cr.P.C.

(ii) direct the mobile services providing companies to preserve the call details record with Cell Id of the mobile numbers dated 27.6.2017, 28.6.2017 and 29.6.2017 mentioned in para 10 above with further direction to produce the same before the learned Trial Court in FIR No.390/2017 dated 28.6.2017 P.S. Bhalswa Dairy, New Delhi and complaint under Section 200 Cr.P.C r/w 156(3) Cr.P.C as and when so directed by the Ld. Trial Court.”

As far as prayer (i) is concerned, the IO having known of the instant proceedings, may consider the aspects sought to be agitated by the petitioner during the course of the investigation. As far as prayer (ii) is concerned, during the course of hearing, it has come to be

pointed out that an application to the similar effect made by the petitioner/applicant is pending consideration before the concerned Magistrate and fixed for hearing on 22.06.2018. When that is so, the similar prayer before this Court is not tenable. It goes without saying that in the event the petitioner is aggrieved of the outcome on the disposal of the said application, the petitioner shall have the legal recourse thereagainst. It is however, expected of the concerned Magistrate to dispose off the said application as expeditiously as possible.

Petition stands dispose off accordingly. All the pending applications also stand disposed off.

Dasti under the signatures of the Court Master.

A. K. CHAWLA, J
(Vacation Judge)

JUNE 20, 2018

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