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

+ **BAIL APPLN. 1568/2018**

NARENDRA GUPTA

..... Petitioner

Represented by: **Mr. Jaspreet Singh Rai,**
Advocate.

versus

STATE (NCT OF DELHI)

..... Respondent

Represented by: **Mr. Ashok Kumar Garg, APP**
with **SI Vikas Kumar, PS Hari**
Nagar.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER
13.08.2018

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1. Matter is listed on an office note.
2. On 10th July, 2018 this Court disposed of the bail application filed by the petitioner for the reason that no approval for arrest of the petitioner had been sought and thus there was no apprehension to arrest the petitioner. This Court also called for an action taken report from the DCP as the Investigating Officer violated the orders of this Court and the standing orders issued by the Commissioner of Police.
3. The DCP, West should have known that in view of the various judgments passed by this Court and standing orders of Commissioner of Police when an anticipatory bail application comes up for hearing by a party under Sections 498A/406 IPC the concerned Investigating Officer is

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mandated to inform the Court whether any approval for arrest has been sought and taken. In this case, the Investigating Officer did not bring this fact to the notice of learned Additional Sessions Judge resulting in the dismissal of anticipatory bail application.

4. The status report filed by the DCP indicates that the show cause notice has been issued to the Investigating Officer asking him to explain as to why permission of arrest had not obtain yet as per the order of this Court and standing orders of Commissioner of Police. It is thus apparent that the DCP concerned himself did not know the orders passed by this Court and standing orders of Commissioner of Police.

5. A detailed status report will be filed by the DCP concerned before the next date of hearing.

6. List on 7th September, 2018 when the DCP, West will be present in Court.

MUKTA GUPTA, J.

AUGUST 13, 2018
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