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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(CRL) 2332/2018, CRL.M.A. 29389/2018, CRL.M.A. 29390/2018

SHRI RAMESHWAR SANGWA & ANR. Petitioners

Through: Mr. S.C. Singhal, Advocate.

Versus

STATE OF DELHI & ANR. Respondents

Through: Ms. Iti Pandey, Advocate for Ms.
Nandita Rao, ASC for State with SI
Sandeep, PS-North Rohini.

CORAM:
HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER
% **16.08.2018**

This petition seeks quashing of FIR No. 370/2016 dated 02.09.2016 registered under section 188 IPC and section 7 of Haryana Essential Services Maintenance Act, 1974 at Police Station, Rohini (North). The petitioners were aggrieved by certain aspects of the service conditions and had exercised their constitutional right to protest against the same at Dr. B.S.A. Hospital, Rohini. The aforesaid employer/hospital had written to the SHO that they would not like to take further action against the petitioners, in view of the Circular of the Government dated 15.11.2017. The said Circular had advised the hospitals/medical institutions of GNCTD to withdraw the FIR against the nursing personnel who had participated in indefinite strike w.e.f 02.09.2016.

Since the employer and the State itself does not wish to pursue the complaint against the petitioners, the substratum of the complaint/FIR

dissipates and any further proceeding apropos the same FIR would be an exercise in futility. It would therefore be in the interest of justice to quash the FIR in question. Therefore, FIR No. 370/2016 dated 02.09.2016 registered under section 188 IPC and section 7 of Haryana Essential Services Maintenance Act, 1974 at Police Station, Rohini (North) and all the proceedings emanating therefrom are quashed.

The petition is allowed in the above terms.

NAJMI WAZIRI, J

AUGUST 16, 2018

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