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

+ CRL.M.C. 1801/2015 & CRL.M.A. 6505/2015

SATISH GUPTA

..... Petitioner

Through: Mr. Anuj Pal, Adv.

versus

GOVT. OF NCT OF DELHI

..... Respondent

Through: Mr. Ashish Dutta, APP for the State.

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

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13.08.2018

By order dated 26.09.2013, the Metropolitan Magistrate while considering the cancellation report submitted by the police on conclusion of investigation into FIR No. 509/1999 of police station Kirti Nagar directed another case to be registered for offences under Sections 420/120B/182 of the Code of Criminal Procedure, 1973 (Cr.P.C) and the same to be investigated into as per law, facts concerning it statedly having been brought out from the police report. Pursuant to the said direction FIR No. 354/2013 was registered in the police station Kirti Nagar. The petitioner challenged the said order unsuccessfully before the court of Sessions invoking its revisional jurisdiction by filing petition (Criminal Revision No. 51/3/14). The said order was sought to be challenged by the petition at hand invoking inherent power of this Court under Section 482 Cr.P.C.

Status report dated 31.01.2018, however, shows that investigation into FIR No. 354/2013 of police station Kirti Nagar having been concluded, a charge-sheet was submitted on 29.1.2018, on which cognizance is stated to have been taken. In this view of the matter, this petition under Section 482 Cr.P.C. cannot survive. The petitioner will have to raise all his defences in the course of proceedings before the trial court pursuant to investigation into the said FIR.

The petition and the pending application are disposed of with these observations.

R.K.GAUBA, J

AUGUST 13, 2018

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