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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 4115/2016**

SHIVANI

..... Petitioner

Through: Mr. Sahib G.S. Mahendru with Mr.
Siddhant Rai Sethi & Mr. Daryl
Menezes, Advocates.

versus

STATE OF NCT OF DELHI & ORS

..... Respondents

Through: Mr. Mukesh Kumar, APP for State.

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

% **31.07.2018**

CRL.M.A. 28992/2018 (for restoration)

In view of the reasons set out in the application, the absence of 09.07.2018 is condoned. The main petition (Crl.M.C. No.4115/2016) is restored.

The application is disposed of with these observations.

CRL.M.C. 4115/2016 & CRL.M.A. 17168/2016

The petitioner was the source of information on the basis of which police station Jaitpur, New Delhi recorded DD No.4B on 12.09.2016 leading to seven buffaloes having been taken into custody by the police officer, the suspicion being that the person in whose control such animals were at the relevant point of time was taking them for slaughter against the settled norms. The second respondent moved an application before the Metropolitan Magistrate laying claim

for the custody and control over the said animals which request was granted by the Metropolitan Magistrate after inquiry. The order dated 22.09.2016 of the Metropolitan Magistrate was challenged by the petitioner in the court of Sessions by criminal revision (CR No. 114/2016). The said revision petition was dismissed by the court of Sessions by order dated 25.10.2016 imposing costs of Rupees One lakh against the petitioner, *inter alia*, observing that the allegations made and the contentions raised were ill-conceived and devoid of merit.

This petition invoking the jurisdiction of this Court under Section 482 of Code of Criminal Procedure, 1973 was filed questioning the said order of the revisional court and is pressed only to pray for the waiver of the costs.

Having heard the learned counsel for the petitioner and having gone through the record, this Court finds the role played by the petitioner to be actuated by overzealousness and on unfounded assumptions. Be that as it may, while her revision petition was dismissed on merits, the order imposing costs of Rupees one lakh seems to be harsh. The costs are waived.

The petition and the pending application are disposed of.

R.K.GAUBA, J.

JULY 31, 2018

srb