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

+ W.P.(C) 9752/2018 & CM APPLs. 45386-87/2018

DIVYA JANGID Petitioner

versus

STATE OF (NCT) OF DELHI AND ORS. Respondents

+ W.P.(CRL) 2161/2018 & CM APPL. 29739/2018

DIVYA BALA SHRIVASTAVA Petitioner

versus

THE STATE (NCT OF DELHI) & ANR Respondents

Present: Mr. Joginder Tuli with Ms. Joshini Tuli, Mr. Ashu Kumar Sharma & Mr. Srikant Sharma, Advs. along with petitioner in person in W.P.(C) 9752/2018.
Mr. Pradeep Tiwari, Adv. in W.P.(CRL) 2161/2018.
Ms. Urvi Mohan, Adv. for Mr. Sanjoy Ghose, ASC, GNCTD.
Mr. Nikhil Goel, Adv. for CBI.
Mr. N. Hariharan, Sr. Adv. with Mr. Sameer Vijay Singh, Mr. Aditya Vaibhav Singh, Mr. Siddharth S. Yadav, Mr. Prateek Bhalla, Ms. Mallika Chadha & Mr. Sharang Dhulia, Advs. for applicant in Rev. Pet. 402/2018 in W.P.(C) 9752/2018.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE V. KAMESWAR RAO

O R D E R

% **19.11.2018**

CM APPL. 45387/2018 (exemption) in W.P.(C) 9752/2018

Allowed, subject to just exceptions.

W.P.(C) 9752/2018 & CM APPL. 45386/2018

W.P.(CRL) 2161/2018 & CM APPL. 29739/2018

Having heard learned counsel for the parties and having considered the issue in question, particularly, in the backdrop of the observations made

and the directions issued by us in Para 17 of our order dated 14.11.2018 in Rev. Pet. No.402/2018 in W.P.(C) No.9752/2018 and taking note of the powers available under Section 173 of the Code of Criminal Procedure, 1973 (Cr.P.C.), we deem it appropriate to direct the Central Bureau of Investigation (CBI) to proceed with the enquiry/investigation in accordance with law as directed by us on 03.10.2018 and submit its report of such enquiry before the Magistrate concerned where the charge sheet has been filed and the Magistrate shall be free to proceed with the matter in accordance with the statutory provisions, particularly, the requirement of Section 173 Cr.P.C.

With the aforesaid, we dispose of these writ petitions and direct the parties including the CBI to appear before the Magistrate concerned on 26.11.2018 for further directions in the matter. The Magistrate shall take note of the legal position and the observations made by us in Para 17 of order dated 14.11.2018 and proceed in accordance with law. Status report filed in sealed cover by CBI on 30.10.2018 be returned back to the counsel for CBI for its presentation before the Magistrate concerned.

CHIEF JUSTICE

V. KAMESWAR RAO, J

NOVEMBER 19, 2018

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