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

+ **W.P.(CRL) 2075/2017**

SAVITA & ORS

..... Petitioner

Represented by: Mr. Rajat Aneja and Ms. Nisha
Sharma, Advocates.

versus

THE COMMISSIONER OF POLICE & ORS Respondents

Represented by: Mr. Avi Singh, ASC with Mr.
Shashank Vachher, Advocate.
Mr. O.P. Aggarwal, Advocate
for respondent Nos. 3 and 4.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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27.04.2018

W.P.(CRL) 2075/2017 and Crl.M.A. No. 11597/2017

1. By this petition, the petitioner prayed the following reliefs:-

It is, therefore, most respectfully prayed that this Hon'ble Court may be pleased to issue appropriate Writ/Order/direction of like nature thereby commanding the Respondents to forthwith proceed to get vacated the Property in question bearing No. 1/5000, forming part of Plot No. 5, land ad-measuring 140 square yards (i.e. 117.05 square meters) out of Khasra No. 886/658/91, Ground Floor, situated at Village Sikdarpur in the abadi area of Balbir Nagar, Loni Road, Ilaqa Shahdara, Delhi-110032 from the Respondents No. 3 and 4 and handover the possession thereof to the Petitioners, and to further issue appropriate directions for transfer of investigation of the case bearing FIR No. 0100/2017 registered at P.S. Shahdara to the Central Bureau of Investigation (CBI), in the light of the detailed facts and circumstances narrated hereinabove.

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2. Notice was issued in the petition on which a status report has been filed. As per the status report on the complaint of respondent No. 5, Rajesh Kumar Jain FIR No. 100/2017 under Sections 448/506/34 IPC was registered at PS Shahdara.
3. Learned ASC for the State submits that pursuant to the investigation charge sheet has since been filed and since during the course of investigation forged invoices were produced by Rohit Jain and Niranjana Jain, offences under Sections 467/468/471/120B IPC has also been incorporated. Learned counsel for respondent Nos. 3 and 4 enters appearance. Respondent No. 5 is present in person.
4. No directions to respondents to get the property vacated and handover possession to the petitioner can be passed in the present writ petition as the same involves disputed questions of facts.
5. Faced with this situation learned counsel for the petitioner seeks leave to withdraw the petition with liberty to take remedies available in law.
6. Leave and liberty granted.
7. Petition is dismissed as withdrawn.

MUKTA GUPTA, J.

APRIL 27, 2018

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