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

\+ BAIL APPLN. 1515/2017

KANWAR SINGH & ORS. ..... Petitioners

Represented by: Mr. Nishit Kush, Mr. Shyam S. Sharma, Mr. Sanjeev K. Baliyan, Mr. Rishi Ahuja and Ms. Astha Jain, Advocates.

versus

STATE ..... Respondent

Represented by: Ms. Meenakshi Chauhan, APP for State with SI Rameshwar Prasad, PS Fatehpur Beri.
Mr. Vijay K. Sharma, Advocate for the complainant with complainant in person.

CORAM:
HON'BLE MS. JUSTICE MUKTA GUPTA

O R D E R

% **17.01.2018**

1. By this petition the petitioners who are father-in-law, mother-in-law, sister-in-law and husband of sister-in-law of the complainant seek anticipatory bail in case FIR No. 599/2016 under Sections 498A/406/34 IPC registered at PS Fatehpur Beri, Delhi.

2. On a query put to learned APP for the State as to whether any approval for arrest of the four petitioners in the present petition has been sought for and granted, the reply is in the negative. Despite clear policy, directions and orders of this Court to all the Investigating Officers that it has to be informed to the Courts concerned that approvals for arrest have been

taken or not, no such intimation was either given to the learned Sessions Court when the anticipatory bail application was heard and nor to this Court even in the present petition as the status report is silent on the same.

3. Petition is disposed of for the reason at the moment there is no apprehension of arrest to the petitioners however, in case the Investigating Officer seeks and is granted approval of the arrest of the petitioners by the competent authority in the above noted FIR, he would give seven days prior notice to the petitioner before making any arrest whereafter the petitioners would be at liberty to take remedies as available to them in law.

4. DCP, South will also submit a report to this Court as to what action is taken against the Investigating Officer for flouting the directions of the Commissioner of Police and of this Court in not informing the Courts that no approval of arrest of the petitioners has been taken as yet.

5. List for this limited purpose on 5th February, 2018.

MUKTA GUPTA, J.

JANUARY 17, 2018
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