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

+ W.P.(CRL) 3553/2017 and CrI.M.A. No. 126/2018

DR VIKRAM B M & ORS

..... Petitioner

Represented by: Mr. Anand Sanjay Nuli and
Mr. Saket Gogia, Advocates.

versus

STATE & ANR

..... Respondent

Represented by: Mr. Sanjay Lao, ASC with SI
Rakesh Kumar, PS Saket.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

11.05.2018

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By this petition, the petitioners had sought quashing of FIR No. 339/2017 under Sections 420/406/34 IPC registered at PS Saket and the proceedings consequential thereto.

When the matter came up before this Court on 4th January, 2018, notice in the present petition was confined to the prayer qua the petitioner No. 1. As no affidavit of petitioner Nos. 2 and 3 was filed. Further this Court issued limited notice on the contention of learned counsel for the petitioner that the directions under Section 156 (3) Cr.P.C passed by the Learned Metropolitan Magistrate pursuant where to FIR No. 339/2017 was registered were contrary to the law laid down by the Hon'ble Supreme Court in the decision reported as 2015 (6) SCC 287 Priyanka Srivastava & Anr. vs. State of U.P. & Ors.

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On a notice issued to the State limited to these contentions, a status report has been filed by the State. As per the status report after filing the complaint to the SHO, the complainant had also filed representations to the superior authorities and references of the receipt of the complaints to the superior officers have been noted in the status report.

Further the complaint was filed by the respondent No. 2 along with an affidavit before the learned Metropolitan Magistrate. Hence there being no violation of the decision of the Supreme Court in Priyanka Srivastava (Supra), the petition is liable to be dismissed.

Learned counsel for the petitioner submits that he has received no instruction from the petitioner No. 1.

In view of the facts noted above, petition is dismissed.

MUKTA GUPTA, J.

MAY 11, 2018
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