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

+ **W.P.(CRL) 3850/2018**

NIRMAL SINGH LAMBA

..... Petitioner

Represented by: Mohd.Sarfaraj, Proxy Counsel for
Mr.Praveen Suri, Advocate

versus

THE COMMISSIONER OF POLICE & ORS

..... Respondents

Represented by: Ms.Kamna Vohra, ASC for the State
with Insp.Yogeshwar Singh and SI
Manmeet, PS Kalkaji
Mr.Amit Mahajan, CGSC with
Ms.Mallika Hiremath and Mr.Gitesh
Chopra, Advocates for R-4

+ **W.P.(CRL) 3851/2018**

GURVINDER KAUR LAMBA

..... Petitioner

Represented by: Mohd.Sarfaraj, Proxy Counsel for
Mr.Praveen Suri, Advocate

versus

THE COMMISSIONER OF POLICE & ORS

..... Respondents

Represented by: Ms.Kamna Vohra, ASC for the State
with Insp.Yogeshwar Singh and SI
Manmeet, PS Kalkaji
Mr.Amit Mahajan, CGSC with
Ms.Mallika Hiremath and Mr.Gitesh
Chopra, Advocates for R-4

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

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ORDER
01.08.2019

Crl.M.A.No.6818/2019 in W.P.(Crl.) No.3850/2018

Crl.M.A.No.6820/2019 in W.P.(Crl.) No.3851/2018

1. The prayers made in the petitions are as under:-

“ a) By way of an appropriate i.e. quo-warranto/writ of certiorari directions be made to the respondent Nos.1 to 4 to investigate the cognizable offences as disclosed by the petitioner in his complaint dated 22.10.2018;

b) A FIR may be registered against all the Directors of the Company in question;

c) Costs of the present writ petitions be awarded in favour of the petitioner and against the respondents.

d) Any other order as may be deemed fit and proper in view of the aforesaid facts and circumstances may also be passed in favour of the petitioners and against the respondents.”

2. Though the petitioners have impleaded Directorate of Enforcement as respondent No.4 however as noted above in the prayers, there is no prayer with regard to any investigation or recording of ECIR by the Directorate of Enforcement.

3. Status reports have been handed over in both the petitions which are taken on record. As per the status reports, on the two complaints which are subject matter of the two writ petitions FIR Nos.462/2018 and 463/2018 under Section 420/34 IPC have been registered at PS Kalkaji and a closure report due to lack of proper/adequate evidence has been filed before the

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learned Metropolitan Magistrate.

4. The learned Metropolitan Magistrate has issued notice to the complainant i.e. the petitioners herein returnable for 30th October 2019.

5. After investigation, closure reports having been filed, the petitioners would be entitled to avail alternate remedies as available to the petitioners.

6. The applications are thus disposed of as no further orders are required to be passed granting liberty to the petitioners to take remedies as available in law.


MUKTA GUPTA, J.

AUGUST 01, 2019

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