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

+ CRL.M.C. 1357/2016

YASHPAL GIRI

..... Petitioner

Through: Mr. Sunil Dahiya, Advocate

versus

STATE (NCT OF DELHI) & ANR

..... Respondents

Through: Mr. Ravi Nayak, APP for the
State with SI Jitender, PS K.N. Katju
Marg.

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

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03.08.2018

In the report under Section 173 of the Code of Criminal Procedure, 1973 (Cr.P.C.) submitted by the police on conclusion of investigation into case FIR No.117/2014 of Police Station K.N. Katju Marg, involving offences punishable under Sections 120-B/408/34 IPC there is no proposal to prosecute the petitioner. Rather, he along with certain others having been kept in column No.12.

Mr. Ravi Nayak, learned Additional Public Prosecutor for the State, on instructions, points out that the report under Section 173 Cr.P.C. was submitted on 10.07.2012 in the court of Metropolitan Magistrate but till date no order there upon has been passed since the Magistrate had issued notice to the first informant to elicit if he had any objections there against. As per the instructions of the learned APP, the first informant has not been served till date.

The petitioner, on the other hand, by the petition at hand seeks quashing of the FIR on the ground that he has settled the dispute with the first informant. If that be so, he should assist the Metropolitan Magistrate in securing the presence of the first informant in the proceedings pending before the said court.

It is hoped and expected that the Metropolitan Magistrate will hereafter hold expeditious proceedings to take the case to logical end at an early date.

With these observations, the petition stands disposed of.

R.K.GAUBA, J.

AUGUST 03, 2018

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