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

+ **W.P.(CRL) 3298/2019**

PARTHA MANDAL

..... Petitioner

Through presence not given.

versus

DELHI POLICE & ANR.

..... Respondents

Through Mr R. Kundu, ASC with Ms Purnima,
Advocate for R1.

ASI Murli Singh, P.S. Dwarka South.

Insp. Rajeev Yadav, P.S. Binda Pur.

SI Kunal Kumar, P.S. Bindapur.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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06.12.2019

CRL.M.A. 41144/2019

1. Allowed, subject to all just exceptions.
2. The application is disposed of.

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3. The petitioner has filed the present petition, *inter alia*, praying that directions be issued to the Delhi Police to allow the petitioner to live peacefully in his house and not to harass the petitioner. The petitioner further prays that the directions be issued to respondent no.1 not to entertain any complaint filed by respondent no.2.
4. It is apparent from the above that there are certain disputes between

the petitioner and his wife (respondent no.2). Respondent no.2 has lodged certain FIRs against the petitioner and the same are being investigated. It is in context of the said investigation that the police authorities had approached the petitioner.

5. Mr Kundu, learned ASC appearing for the State states that the petitioner is not residing at the address provided and, therefore, the investigating officer has been calling him on his mobile phone to join the investigations. He states that if the petitioner had responded to the summons, there would be no occasion for the IO to call the petitioner.

6. The learned counsel appearing for the petitioner states that the petitioner would appear before the Investigating Officer on 07.12.2019 at 2.00 p.m. to join the investigation.

7. Insofar as the petitioner's grievance regarding the conduct of the police is concerned, the petitioner would be at liberty to file a complaint before the Commissioner of Police. If any complaint is so made, the DCP is directed to examine the same and if the petitioner's grievance is found merited, take such steps as are warranted in accordance with law.

8. No further orders are required to be passed in this petition. The prayer that the police authorities be restrained from registering any complaint made by respondent no.2 cannot be granted.

9. The petition is disposed of with the aforesaid directions.

VIBHU BAKHRU, J

DECEMBER 06, 2019/pkv