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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 48/2019 & CrI.M.A. 389/2019 (u/S 482 Cr.P.C)**

RAOOF AKRAM Petitioner
Through: Mr. Amit Sharma, Mr. Vaibhav
Tomar & Mr. P.Goswami, Advocates

Versus

STATE Respondent
Through: Mr. M.P.Singh, Additional Public
Prosecutor for respondent-State with Inspector
Vinod Gandhi

CORAM:
HON'BLE MR. JUSTICE SUNIL GAUR

% **ORDER**
10.01.2019

In FIR No. 269/2018, under Sections 420/467/468/471/120-B IPC and Sections 66C & 66D of Information Technology Act, 2000, registered at police station EOW, Mandir Marg, New Delhi, Notice under Section 41A Cr.P.C. has been issued to petitioner to join investigation today i.e. 10th January, 2019 at 02:00 p.m.

Petitioner's counsel submits that petitioner is in Assam and he would appear before the Investigating Officer on 12th January, 2019 at 05:00 p.m and thereafter as and when called.

The apprehension expressed by counsel for petitioner is that petitioner may be arrested in this FIR case though he has no role to play in this case.

To allay the apprehension of petitioner, it is directed that in case Investigating Officer intends to arrest petitioner, then 48 hours notice be given to petitioner prior to his arrest. In the peculiarity of this case, above direction issued, is not to be treated as a precedent.

These applications are accordingly disposed of while clarifying that in case notice of arrest is received by petitioner, then petitioner has to approach the court of Sessions in the first instance.

Dasti.

SUNIL GAUR, J

JANUARY 10, 2019

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