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

+ W.P.(Crl.) 472/2019

RAJESH KUMAR

..... Appellant

Through Mr. Rohit Kalra, Adv. with
Ms. Kriti Kumari, Adv.
Mob. No. 9582388509

versus

COMMISSIONER OF POLICE

..... Respondent

Through Mr. Chaitanya Gosain, proxy counsel
for Mr. Rahul Mehra, Standing
Counsel (Crl.)

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

% **13.02.2019**

1. The present matter has been received by this Bench as the Roster Bench (DB-VII) is not available in the post lunch session today.
2. The petitioner seeks issuance of a writ of *Habeas Corpus* for the production of his brother, Manoj Kumar and Aftabuddin, allegedly illegally detained at P.S. Seelampur.
3. Mr. Chaitanya Gosain, learned proxy counsel appearing for Mr. Rahul Mehra, Standing Counsel (Crl.) states that an FIR has already been registered against Manoj Kumar and Aftabuddin on 12.02.2019 at 1420 hours (FIR No.51/2019) P.S. Seelampur under Sections 186/353/34 IPC on the basis of a complaint received from the MCD Officers for obstruction caused by them in

the encroachment drive undertaken at Seelampur on 12.02.2019. He further states, on instructions, that both the accused have already applied for bail and the matter is pending before the learned Metropolitan Magistrate. Steps are being taken to produce them before the Court.

4. Copy of the FIR furnished by learned counsel for the State is taken on record. A copy be furnished to the learned counsel for the petitioner.

5. At this stage, learned counsel for the petitioner seeks leave to withdraw the present petition, while reserving the right of his client to seek appropriate relief before the learned Metropolitan Magistrate.

6. Leave as prayed for is granted. The petition is disposed of as not pressed.

HIMA KOHLI, J

MANOJ KUMAR OHRI, J

FEBRUARY 13, 2019

sm/j