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

+ **W.P.(C) 3747/2018 & CM No.49763/2018**

DEEPU SAURAV

..... Petitioner

Through: Mr Kuriakose Varghese and Mr
Deepak Grover, Advocates.

versus

UNION OF INDIA & ORS

..... Respondents

Through: Mr Rajeev Sharma and Mr Saket
Chandra, Advocates for R-1 to R-3.
Mr Anil Grover with Mr Noopur
Singhal, Advocates for R-4.
Mr Aditya Singh and Mr Modassir
Husain Khan, Advocates for R-5.

WITH

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+ **W.P.(C) 6046/2018**

UDAIBIR SINGH

..... Petitioner

Through: Mr V. Shyamohan and Ms Jayati
Ghose, Advocates.

versus

UNION OF INDIA & ORS

..... Respondents

Through: Mr Rajeev Sharma and Mr Saket
Chandra, Advocates for R-1 to R-3.
Mr Aditya Singh and Mr Modassir
Husain Khan, Advocates for R-5.

AND

13.

W.P.(C) 6131/2018 & CM No. 49760/2018

ANITA SINGH

..... Petitioner

(2)

Through: Mr Surya Prakash, Advocate.

versus

UNION OF INDIA & ORS

..... Respondents

Through: Mr Rajeev Sharma and Mr Saket Chandra, Advocates for R-1 to R-3.
Mr Aditya Singh and Mr Modassir Husain Khan, Advocates for R-5.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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17.01.2019

1. The petitioners have filed the present petitions, *inter alia*, praying that directions be issued to respondents to recall the Look Out Circular (LOC) and the Red Corner Notice (RCN) issued against the petitioners.
2. It is stated that pursuant to the said LOCs and RCNs, the passports of Mr Deepu Saurav (petitioner in W.P.(C) 3747/2018) and Mrs Anita Singh (petitioner in W.P.(C) 6131/2018) have been impounded by the authorities in Dubai and they are unable to travel to India. Mr Udaibir Singh (petitioner in W.P.(C) 6046/2018) is in Nigeria and is also unable to undertake any travel on account of the LOC and RCN issued against him.
3. It is stated that the said LOCs and RCNs were issued against the petitioners pursuant to the orders passed by the Judicial Magistrate, Panchkula in a case (FIR No.58 dated 26.06.2014) instituted for offence under Section 406/ 498A/354A/506/34 IPC. The genesis of the said case is a matrimonial dispute between Deepu Saurav and his wife Ms Astha

Prakash (respondent no.5 in W.P. (C) 6046/2018 and W.P. (C) 6131/2018). The allegations made by Ms Astha Prakash in the FIR relate to alleged acts committed after the marriage of respondent no.5 and Deepu Saurav on 11.05.2011. The FIR indicates the occurrence of offenses was during the period 01.10.2013 to 26.06.2014. Admittedly, neither of the petitioners were in India during the period. Ms Astha Prakash has complained regarding the treatment meted out to her by her husband and in-laws while she was staying with them in Dubai.

4. Mr Udaibir Singh and Mrs Anita Singh are parents of Mr Deepu Saurav and they also stand accused in the aforementioned cases.

5. It appears that the said action had been taken as warrants were directed to be issued against the petitioner, which in turn were issued as the petitioners had not joined the investigations and were not participating in the proceedings.

6. The learned counsel appearing for the petitioners undertakes on behalf of the petitioners that the petitioners shall join the investigation and appear before the concerned Court if the aforesaid LOCs and RCNs are set aside; thus, enabling them to travel to India.

7. This Court is informed by the learned counsel appearing for Ms Astha Prakash that the next date of hearing before the concerned Court is fixed on 19.01.2019 and it is apparent that it would not be possible for the petitioners to travel to India to attend the case on that date.

8. In the aforesaid circumstances, the learned counsel for the parties is directed to jointly request for an adjournment of the proceedings in the matter (case relating to FIR No. 58 dated 26.06.2014) for a further period of at least four weeks.

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9. The undertaking given by the learned counsel appearing for the petitioners on behalf of the petitioners is accepted and the petitioners shall appear before the concerned Court on the date next fixed. The LOCs issued against the petitioners are hereby quashed. The respondents are also directed to ensure that the RCNs are withdrawn forthwith. It is further directed that the petitioners shall not be arrested on their visit to India till the date of hearing next fixed by the concerned Court and any coercive steps shall be taken only if so ordered by the concerned Court.

10. The petitions are disposed of. The pending applications are also disposed of.

11. Order *dasti* under signatures of the Court Master.



VIBHU BAKHRU, J

JANUARY 17, 2019
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