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

+ W.P.(CRL) 2250/2018

GURPAL KAUR

..... Petitioner

Represented by: Mr.Mishal Johari, Advocate

versus

STATE OF NCT OF DELHI & ANR.

..... Respondents

Represented by: Mr.Rajesh Mahajan, ASC for the
State with Insp.Rakesh Rawat, PS
R.K.Puram
Mr.Arvind Kumar and Ms.Shashi
Kiran, Advocates for R-2

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

31.01.2019

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1. In the present petition the prayer of the petitioner was seeking directions to the learned Metropolitan Magistrate to take cognizance for offence punishable under Section 460/463/464/469 read with Section 120-B IPC and Section 66-C of the Information Technology Act which prayer was declined by this Court as this Court cannot direct the Magistrate to take cognizance in a particular manner which would be strictly within the domain of the Magistrate to apply its mind on the facts of the case and take a decision. The second grievance of the petitioner was that despite the order of remand passed by the learned Additional Sessions Judge on 20th February, 2017 till date no decision has been taken by the learned Metropolitan Magistrate. Thus, this Court had issued notice limited to the second grievance.

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2. Learned counsel for the petitioner states that despite the remand order dated 20th February, 2017 and parties being directed to appear before the learned Metropolitan Magistrate on 21st February, 2017 a decision has not been taken till date by the learned Metropolitan Magistrate.
3. The learned Metropolitan Magistrate is directed to take a decision pursuant to the remand by the learned Additional Sessions Judge on a cancellation report filed by the State in case FIR No.305/2014 registered at PS R.K.Puram within a period of six months from today.
4. Petition is disposed of.
5. Copy of this order be communicated to the learned Metropolitan Magistrate.

MUKTA GUPTA, J.

JANUARY 31, 2019
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