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via Video-conferencing

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

+ **W.P.(CRL.) No.890/2020**

RAJ SINGH

..... Petitioner
Through: **Mr. R.K. Burman, Adv.**

versus

**DEPUTY COMMISSIONER OF POLICE
& ORS.**

.... Respondents
Through: **Ms. Nandita Rao, ASC.**

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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09.06.2020

The petitioner, who is stated to be a senior citizen and permanent resident of Pocket-18, Sector-24, Rohini, Delhi seeks a direction for registration of a First Information Report (FIR) against respondents Nos. 2 to 5 for alleged offences under sections 188/268/269/270 IPC.

2. Mr. R.K. Burman, learned counsel for the petitioner contends that offences have been committed in the context of permitting garbage collectors, other than those officially sent by the MCD, into the colony for clearing the refuse generated. His principal contention is that despite complaints dated 25.04.2020 and 29.04.2020 made in regard to the offences to the SHO PS: Budh Vihar, Rohini and also complaints dated 17.05.2020 and 20.05.2020 made to the Deputy Commissioner of Police

(DCP), Rohini, no FIR has been registered and no action has been taken.

3. Ms. Nandita Rao, learned Additional Standing Counsel enters appearance on behalf of State on advance copy; and points-out that *firstly*, the matter appears to have arisen from some *inter se* disputes between office bearers of various residents' welfare associations within Rohini; and *secondly*, if the petitioner has any valid grievance at all, he ought to have first moved an application under section 156(3) Cr.P.C. before the concerned Magistrate praying for registration of FIR, which has not been done.

4. In view of the above, after making some submissions, Mr. Burman seeks liberty to withdraw the present petition and to first exhaust the remedies available under the Cr.P.C., in accordance with law.

5. Accordingly, the present petition is dismissed as withdrawn, with liberty as prayed for.

ANUP JAIRAM BHAMBHANI, J

JUNE 09, 2020

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