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

+ W.P.(CRL) 1169/2024, CRL.M.A. 11295/2024 (for direction)

MAHESH MASHALKAR THROUGH MURLIDHAR M
MASHALKARPetitioner

Through: Mr. Anand Kumar, Mr. Aditya Giri
and Mr. Hemant Kalra, Advocates.

versus

STATE OF NATIONAL CAPITAL TERRITORY OF DELHI

.....Respondent

Through: Mr. Amol Sinha, ASC for the State.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

06.09.2024

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1. The Writ Petition under Article 226 of the Constitution of India read with Section 482 of CrPC has been filed on behalf of the petitioner for quashing/setting aside of the Notice dated 19.03.2024, 27.03.2024 & 03.04.2024 under Section 41A of the CrPC.
2. The Status Report has been filed on behalf of the respondent, though the same is not on record. The Registry is directed to place it on record.
3. A copy of the Status Report has also been handed over in the Court, which is taken on record.
4. Learned counsel appearing on behalf of the petitioner submits that it is only after the filing the present Writ Petition, it has come to his knowledge that the Order under Section 155(2) CrPC dated 17.02.2024 has been given by the learned Metropolitan Magistrate, permitting investigations



and that the investigations are on-going, in accordance with law. Without prejudice to the rights of the petitioner, learned counsel for the petitioner seeks permission to withdraw the present Writ Petition with liberty to pursue the appropriate remedy.

5. A copy of the said order be made available to the petitioner as well as the copy of the NCR.

6. The Petition is disposed of with liberty to taking appropriate action before the appropriate forum. The application also stands disposed of.

NEENA BANSAL KRISHNA, J

SEPTEMBER 6, 2024/RS