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

+ **W.P.(CRL) 1941/2020 & CRL.M.A. 16218/2020**

**JYOTI & ORS.**

..... Petitioners

Through: Mr. Nawalendra Kumar Advocate  
(through VC).

versus

**THE STATE, NCT OF DELHI & ORS.**

..... Respondents

Through: Ms. Nandita Rao, ASC (Crl.) for the  
State with Mr. Jasraj Singh Chhabra,  
Adv.alongwith SI Neeraj Kr. P.S.  
Bhalswa Dairy.

**CORAM:**

**HON'BLE MR. JUSTICE AMIT SHARMA**

**ORDER**

**09.01.2024**

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1. The present petition under Article 226 of the Constitution of India read with Section 482 of the Cr.P.C. seeks the following prayers:-

“Under the facts and circumstances of the case and in the interest of justice it is most respectfully prayed that this Hon'ble Court may graciously be pleased to:

I. Direct to the respondent Nos. 1 to 3 to take action in accordance with law on the complaints (Annexures-P/ 1 to P/ 4) against respondent Nos. 5 and 6 for selling illicit liquor contrary to the provisions of Delhi Excise Act, 2009, and

II. Quash the notice under Section 107 / 111 Cr.P.C. dated 19/08/2020 issued by respondent No.4 and consequently quash the proceedings in connection with D.D. No. 109-A, dated 15/08/2020 under Section 107/150 Cr.P.C., P.S. Bhalswa Dairy, Delhi qua the petitioners above named, and/or III. Pass such other or further order/ orders as this Hon 'ble court may deem fit and proper in the



facts and circumstances of the case and in the interest of justice.”

2. Learned Additional Standing Counsel for the State submits that so far as prayer II is concerned, the same does not survive as *vide* final order dated 13.02.2021, Special Executive Magistrate, has dropped the proceedings. So far as prayer I is concerned, it is pointed out that in the status report dated 10.08.2022 authored by Insp. Harender Singh, P.S. Bhalaswa Dairy, Delhi it is recorded as under:-

“2. Secret watch is being kept regularly over the activities of alleged Smt. Suman W/o Jagdish and Jagdish S/o Mangtu and legal action have been taken against them whenever they found involved in the activities of selling of liquor. Criminal involvements of alleged Jagdish & Suman are attached herewith for kind perusal of this Hon'ble Court (Copy of involvement of Smt. Suman W/o Jagdish and Jagdish S/o Mangtu are enclosed as annexure - B)”

3. In view of the above, learned counsel for the petitioner seeks leave to withdraw the present petition with liberty to place on record before the SHO concerned any material that comes to the knowledge of the petitioner henceforth, with regard to the aforesaid activities.

4. Leave and liberty granted.

5. The present petition is dismissed as withdrawn and disposed of accordingly.

**AMIT SHARMA, J**

**JANUARY 9, 2024/nk**