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

+ **W.P.(CRL) 2629/2019 & CRL.M.A. 36028/2019**

MR. RAKESH GUPTA Petitioner

Through: None.

versus

STATE & ANR. Respondents

Through: Mr. Sanjeev Bhandari, ASC
(criminal) for State with Ms. Anvita Bhandari, Mr. Kunal Mittal, Mr. Arjit Sharma and Mr. Vaibhav Vats, Advocates.
SI Arun Ahlawat, PS EOW.
Mr. Sanjay Rathi, Mr. Ashish Khatri, Mr. Bhupender Lakra and Mr. Sandeep Rathi, Advocates for complainant.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

19.03.2024

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

“In light of the aforementioned facts and circumstances, it is most respectfully prayed that this Hon'ble Court be pleased to:

- a. Pass a Writ of Mandamus directing the investigating officer of FIR No. 77 of 2019 PS EOW, Mandir Marg, to withdraw Notices 3810/R/ACP/Section -1/EOW New Delhi dated 30.07.2019 issued under section 41 A Criminal Procedure Code, 1973 issued to the Petitioner;
- b. Quash FIR No.77 dated 09.05.2019 registered at EOW, Mandir Marg for offences Sections 420/467/468/471/120 B IPC so far as the Petitioner is concerned; and
- c. Pass such further Order/Orders as this Hon'ble Court may deem fit to pass in the facts and circumstances of the case.

AND FOR THIS ACT OF KINDNESS THE PETITIONERS SHALL



EVER PRAY AS DUTY BOUND”

2. Learned Additional Standing Counsel for the State, on instructions from the Investigating Officer, submits that chargesheet in the present FIR has been filed, however, the present petitioners have not been chargesheeted.
3. None appears on behalf of the petitioners.
4. There was no appearance on the last three dates of hearing as well, i.e., 24.05.2023, 06.09.2023 and 19.12.2023.
5. In view of the above, the present petition is dismissed in default for non-prosecution and disposed of accordingly.
6. Pending application(s), if any, also stand disposed of.

AMIT SHARMA, J

MARCH 19, 2024/sn