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

+ **W.P.(CRL) 2048/2024 & CRL.M.A. 19859/2024**

RUBAL CHHABRA

.....Petitioner

Through: Mr. Arun Khatri & Mr. Sahil
Khurana, Advocates.

versus

STATE OF GNCT OF DELHI & ORS.

.....Respondents

Through: Mr. Amol Sinha, ASC, Crl. with Mr.
Kshitiz Garg, Mr. Ashvini Kumar &
Ms. Chavi Lazarus, Advocates for
State.

S.I. Deepak, AATS/Outer Distt.,
Delhi.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

10.07.2024

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CRL.M.A. 19858/2024 (Exemption)

1. Allowed, subject to all just exceptions.
2. The application is disposed of.

W.P.(CRL) 2048/2024

3. The present Petition under Articles 226 and 227 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 has been filed on behalf of the petitioner seeking directions to set aside the illegal Notices dated 29.05.2024 and 24.06.2024 issued by the concerned Investigating Officer i.e., Praveen Kumar, Inspector, PS IC/AATS Outer, Delhi in relation to FIR No. 455/2024 registered under Sections 419/420/120B/34 of the Indian Penal Code, 1860 and Sections 66C and 66D of the IT Act at Police Station Paschim Vihar, West, Delhi.
4. Issue notice.



5. Mr. Amol Sinha, learned Additional Standing Counsel appearing on advance notice, accepts notice on behalf of the State.
6. It is submitted in the petition that according to the prosecution, a raid had been conducted at H.No. EW-3, Fourth Floor, Miyawali Nagar, Paschmi Vihar, Delhi, from where a Call Centre was being run, for duping the US Nationals on the pretext of providing technical support to the users of Microsoft, Apple (Mac OS).
7. It is submitted that the petitioner has not been named in the said complaint, however, repeated Notices have been received from the Police which do not describe the information required from the petitioner.
8. Furthermore, there is no indication that the aforesaid Notices are whether under Sections 41A/91/160/175 of Code of Criminal Procedure, 1973 and the petitioner is being harassed.
9. Learned Additional Standing Counsel on behalf of the State concedes the inadvertence in issuing the aforesaid Notices and submits that the Investigating Officer henceforth, shall be serving the petitioner with appropriate Notice mentioning the relevant section and the purpose for which his appearance is sought.
10. In view of above, no further directions are required to be passed.
11. The respondents are directed not to take any coercive action against the petitioner on the basis of the said Notices, which had been issued in the past.
12. The petition along with pending application stands disposed of.

NEENA BANSAL KRISHNA, J

JULY 10, 2024

S.Sharma