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

+ **W.P.(CRL) 3709/2024**
CHARU MAHESHWARIPetitioner
versus
UNION OF INDIA & ANR.Respondent

+ **W.P.(CRL) 3721/2024**
PARINAY JAJOOPetitioner
versus
UNION OF INDIA & ANR.Respondent

Present: Mr. Madhav Khurana, Mr. Divyakant Lahoti,
Mr. Harsh Gattani & Ms. Teeksh Singhal,
Advocates for the petitioners.
Mr. Anurag Ahluwalia, CGSC with Mr. Tarveen
Singh Nanda, GP & Ms. Hridyanshi Sharma,
Advocates for R-1-3/UOI in Item 123.
Mr. Amit Tiwari, CGSC with Mr. Himanshu
Bhiduri, GP, Mr. Ayush Tanwar & Mr. Rahul
Bhaskar, Advocates for R-1/UOI in Item No. 125.
Ms. Rupali Bandhopadhyaya, ASC (Crl.) with
Mr. Abhijeet Kumar, Advocate for the State with SI
Dharamveer, W/ASI Sarita, PS Chhawla.

CORAM:
HON'BLE MR. JUSTICE AMIT MAHAJAN
ORDER
% **28.11.2024**

CRL.M.A. 35603/2024 (exemption) in W.P.(CRL) 3709/2024

CRL.M.A. 35704/2024 (exemption) in W.P.(CRL) 3721/2024

1. Exemptions allowed, subject to all just exceptions.
2. The applications stand disposed of.

W.P.(CRL) 3709/2024 & CRL.M.A. 35602/2024

W.P.(CRL) 3721/2024 & CRL.M.A. 35703/2024

3. By way of the present petitions, the petitioners seek quashing of Look Out Circular ('LOC'). The petitioner in W.P.(CRL) 3709/2024 is the wife of the petitioner in W.P.(CRL.)



3721/2024.

4. The LOC was issued pursuant to the FIR No. 10/2023 dated 07.01.2023 registered at Police Station Chhawla for offence under Section 498A of the Indian Penal Code, 1860. The FIR was registered pursuant to the complaint given by the complainant – Komal Singh Walia, who is stated to be married to the elder brother of the petitioner in W.P.(CRL) 3721/2024 alleging cruelty and demand for dowry.

5. The petitioners are admittedly staying in the United States of America. The petitioner in W.P.(CRL) 3721/2024 is stated to be working in USA since the year 2016 and his wife (petitioner in W.P.(CRL 3709/2024) is working in USA since the year 2021. The petitioners got married on 09.09.2021.

6. The learned counsel submits that the complainant herself is a resident of Australia and is working there. The complainant is pursuing the FIR through her father. He submits that the petitioners have unnecessarily being implicated in the present case. He submits that the petitioners had received the notice from the police authorities and had come to India to join investigation whereafter, they came to know about the opening of the LOC. The petitioners have since joined investigation twice and are no longer required for further investigation.

7. The learned Additional Standing Counsel for the State on instructions, fairly, submits that the investigation with regard to the petitioners is complete and they are no longer required for further investigation. She submits that the chargesheet is likely to be filed in the near future.

8. The learned counsel for the petitioners, on instructions, further submits that the petitioners undertake to appear before the Courts in India as and when required in future.



9. Considering the above and that the investigation has already concluded and petitioners are not required for any further investigation and also the fact that the petitioners are residing in the USA and are related to the complainant on account of her being married to the brother of the petitioner in W.P.(CRL) 3721/2024, this Court considers it apposite to quash the LOC, opened pursuant to the request letter No. 682/SHO/CHH dated 19.03.2024.

10. The SHO, Police Station Chhawla is directed to send appropriate communication to the concerned departments informing that there is no impediment in the petitioners leaving or entering this country.

11. The State, however, is not precluded to take appropriate action against the petitioners in case they are found to be not cooperating in future.

12. The petitions are allowed in the aforesaid terms.

13. A copy of this order be placed in both the matters.

AMIT MAHAJAN, J

NOVEMBER 28, 2024

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