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

+ **CRL.M.C. 6054/2019 & CRL.M.A. 41269/2019**

PAWAN KAUSHIK

.....Petitioner

Through: Mr. Girish Chander, Mr.
Vaibhav Gosain & Mr.
Ashish Kandpal, Advs.

versus

STATE

.....Respondent

Through: Mr. Naresh Kumar
Chahar, APP for the State.
IO/SI Mohan Lal Delu, PS
Alipur.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

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05.12.2024

1. None appears for the Municipal Corporation of Delhi ('MCD').
2. The contention of the petitioner is that the letter written by the Executive Engineer of North Delhi Municipal Corporation to the Police cannot be treated as a complaint under Section 195 of the Code of Criminal Procedure, 1973 (CrPC) to prosecute the petitioners for offences under Section 188 of the Indian Penal Code, 1880 and Section 344(2) of the Delhi Municipal Corporation Act.
3. The learned counsel for the petitioner submits that in the present case, the chargesheet was filed along with the said letter. The same is not a procedure envisaged under Section 195 of the CrPC. He submits that the complaint was admittedly not supported with any affidavit of the officer.
4. The MCD is directed to file reply before the next date of hearing.



5. List on 04.04.2025.
6. Interim order to continue.

AMIT MAHAJAN, J

DECEMBER 5, 2024
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