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

+ **W.P.(CRL) 3406/2019**

SATBIR SINGH

..... Petitioner

Through: Mr. Mohit Mathur, Sr. Adv. with Mr. Saurabh Gupta, Mr. Abhay Raj Verma and Mr. Tarun Arora, Advs.

versus

STATE & ANR.

..... Respondents

Through: Mr. Piyush Singhal, Adv. for Mr. Ashish Aggarwal, ASC for the State. ACP Bijender Singh, P.S.Dabri.

CORAM:

HON'BLE MR. JUSTICE RAJNISH BHATNAGAR

ORDER

% **06.12.2019**

1. By way of this present petition, the petitioner has made the following prayers:-

“quash the F.I.R. No. 0457 of 2019 dated 14.09.2019 under Section 3(1) (g)/ 3 (1) (r)/ 3 (1) (s) of the SC and ST (Prevention of Atrocities) Act, 1989 and Section 448, 380, 506 and 34 of the Indian Penal Code registered at P.S.Baba Haridas Nagar, New Delhi and also consequential, incidental proceedings initiated thereto;”

2. It is submitted by the learned senior counsel for the petitioner that petitioner and Mr. Ravinder Singh were the partners and they owned chunk of land in Nirmal Vihar. It is submitted by the learned senior counsel for the petitioner that respondent no.2 encroached upon this land, as a result of which, the petitioner filed a civil suit against the respondent no.2 for



declaration and permanent injunction. It is alleged that learned ADJ vide order dated 19.9.2019 had restrained the respondent no.2 from raising any construction in the property in question. It is further submitted by the learned senior counsel for the petitioner that respondent no.2 was served with summons on 14.9.2019, but respondent no.2 with mala fide intention on the same day lodged the present FIR on 14.9.2019 with regard to property in question.

3. Issue notice to the respondent no.2 by all modes, on the petitioner taking the necessary steps, returnable on 24.3.2020.
4. Till the next date of hearing, no coercive action be taken against the petitioner.

RAJNISH BHATNAGAR, J

DECEMBER 06, 2019/ib