

IN THE HIGH COURT OF DELHI AT NEW DELHI

07.08.2007

**Present: Mr. Tarun Sharma, Advocate for the petitioner
Ms. Mukta Gupta, Standing Counsel for the state with
Mr. Ahshal Mehtra, Advocate**

W.P.(Crl.) No. 1009/2007

**Issue notice of the petition to the respondents returnable for 17th
January, 2008. Notice is accepted by the Standing Counsel of the State.
Crl.M. A. No. 8813/07 in W.P.(Crl.) No. 1009/2007**

**The parties were referred to CAW Cell where CAW Cell after making
enquiries, came to the conclusion that it was not a case of cruelty or
harassment on the part of the husband. The CAW Cell recommended a Closure
Report saying that no case is made out against the husband or family of the
husband. After this recommendation, respondent no. 2 made an application under
Section 156(3) before the learned Metropolitan Magistrate. Learned Metropolitan
Magistrate without giving any reason as to why he considered that a case was
made out, ordered for registration of an FIR. I consider that it is a fit case
where operation of the order can be stayed. The operation of the order dated
3rd August, 2007 wrongly mentioned as dated 30th July, 2007 is stayed. Trial
Court record be called.
Dasti.**

August 07, 2007 SHIV NARAYAN DHINGRA. J.

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