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IN THE HIGH COURT OF DELHI AT NEW DELHI

Date of Reserve: February 16, 2010

Date of Order: March 02, 2010

+ Cont. Cas(C) 377/2008

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Akhlaq Ahmad

Through: Mr. V.K. Rai, Advocate

02.03.2010

...Petitioner

Versus

State of NCT of Delhi & Ors.

Through: Mr. Saleem Ahmed, Advocate

...Respondents

JUSTICE SHIV NARAYAN DHINGRA

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporter or not?
3. Whether judgment should be reported in Digest?

JUDGMENT

1. By way of present contempt petition the petitioner alleges that since incorrect information was given by respondent no.2 SHO Police Station Mandawali to the Writ Court, Writ Petition filed by the petitioner was dismissed as infructuous. Thus, respondent no.2 obstructed and interfered into the smooth administration of justice and was liable for contempt. The petitioner has referred to the status report furnished by respondent no.2, wherein status of investigation in the FIRs was filed by respondent no.2 in W.P.(C) 78 of 2007.

2. A perusal of status report would show that respondent no.2 stated that the investigation of the concerned criminal cases was conducted fairly and impartially and after completion of investigation, the cases were being sent to the concerned courts for trial. In respect to FIR No. 465 of 2006 it was stated that the investigation had been conducted and seven accused persons were arrested. In case of FIR No.589 of 2009, it was submitted that the case was registered and six accused persons were arrested and in FIR No.537 of 2009, it was stated that one accused had been arrested. This Court

after perusal of the status report observed that since the investigation of all three cases were almost complete, nothing survived in the writ petition seeking relief of referring cases to CBI.

3. The counsel for petitioner argued that while investigation of two cases was complete on the date of status report but the investigation in the third case was not completed and a wrong impression was given to the Court.

4. I find that respondent no.2 had not made any false statement in the status report. The status report only reflected that arrest had been made in all the three cases and fair investigation was in progress and the matter would be sent to the Court on completion of investigation.

5. I find no force in this contempt petition. The contempt petition is hereby dismissed.

March 02, 2010
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SHIV NARAYAN DHINGRA J.