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

+ W.P.(CRL) 2090/2013

SANGEETA SHARMA

..... Petitioner

Through

Mr.L.K. Dixit & Mr.S.K. Jaswal,
Advs.

versus

STATE GOVT OF NCT OF DELHI & ORS

..... Respondents

Through

Mr.Rahul Mehra, Standing Counsel
(Crl.) with Mr.Jamal Akhtar, Adv.
SI Mehnab Alam PS Khajuri Khas.
Mr.Shakti Chand Sharma, Adv. for
R3 to R7.

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

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06.10.2015

The petitioner has sought direction to the respondents for investigating the case lodged by the petitioner in a proper manner.

A grievance has been raised by the petitioner that under duress, she was made to drop the name of some of the accused persons and the respondents made her sign on the petition of complaint which was dictated by them only in the police station.

It has been submitted on behalf of the respondents and the State that with respect to a quarrel which took place on 01.12.2013, two separate FIRs were registered.

On the statement of one Mr.Avishek Rawat, FIR No.691/2013 (PS Khajuri Khas) was instituted for offences under Sections 452/323/506/34 of

the IPC.

On the statement of the petitioner, a separate case vide FIR No.692/2013 in the same police station was registered against Avishek Rawat and others for offence under sections 452/323/34 of the IPC.

From the records, it appears that the dispute arose because of the parties being supporters of two different political parties which had fielded their own candidates at the hustings.

It has been submitted on behalf of the State that only a day after the lodging of the aforesaid cases, the parties decided to settle their differences.

On the strength of such settlement, the parties were granting bail by the Court below.

The petitioner submits that the allegation of molestation against the accused persons was not incorporated in the FIR.

These are disputed questions of fact and the same cannot be gone into in writ jurisdiction under Article 226/227 of the Constitution of India.

This Court has noticed the fact that no such complaint was lodged before the Magistrate about the truant behaviour of some of the respondents in the present writ petition.

If the petitioner was aggrieved by any action or inaction on the part of the investigating agency, she could have complained about the same either before the superior authorities or could have brought it to the notice of the concerned Metropolitan Magistrate.

In any view of the matter, as has been stated earlier, this Court is not inclined to interfere in disputed questions of fact.

There is no merit in the application and the same is dismissed *in limine*.

ASHUTOSH KUMAR, J

OCTOBER 06, 2015

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