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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 1910/2015**
RAJESH SHARMA

..... Petitioner

Through: Mr. B.S. Chowdhary, Ms. Chitra
Goswami & Ms. Sneh Lata, Advs.

versus

STATE (NCT) OF DELHI

..... Respondent

Through: Mr. Sanjay Lao, ASC for the State

CORAM:
HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

% **11.12.2015**

Crl. M.A.17737/2015

The petitioner prays for an early hearing of this case considering the urgency in getting the writ petition decided.

For the reasons stated in the application, the date of 28.01.2016 is cancelled.

The application is allowed.

W.P.(Crl.) 1910/2015 is taken up today for consideration.

W.P.(CRL) 1910/2015

The petitioner is employed with the Indian Railways as an Inspector. He submits that right from 2012 till date he has been made accused in about 14 cases by one Smt. Kiran Patial. He further submits that Smt. Kiran Patial has been in the habit of falsely implicating other persons also. She has in fact lodged a case against Rajesh Patial, her husband, way back in the year

2003. A list of such cases has been provided by the petitioner in the present writ petition.

Learned counsel appearing for the petitioner draws attention of this Court to the prayer made in the writ petition.

The reliefs sought in the present writ petition are as hereunder:

- “(a) issue an appropriate direction(s) and order in the nature of writ of mandamus to the respondent and its officials not to harass the petitioner in the name of interrogation.
- (b) issue a direction to proper investigation & enquiry regarding the contents of different FIRs against the complainant impartially.
- (c) Pass such any other order(s), which this Hon’ble court may deem fit and proper in favour of petitioner and against the respondent.”

Mr. Sanjay Lao, Additional Standing Counsel, with reference to the status report, submits that in none of the cases referred to by the petitioner, even though registered for serious offences like rape etc, the petitioner has been arrested. The investigating agency has taken note of the fact that several cases have been filed by Smt. Kiran Patial. But the allegation of harassment of the petitioner by the police is seriously denied.

Mr. Sanjay Lao, Additional Standing Counsel admits that the frequency with which the petitioner is being accused at the instance of one person, smacks of false implication.

Be that as it may, it would not be in the interest of police administration not to investigate cases lodged against any person. However, the Police would take into account, while investigating such cases in which Smt. Kiran Patial is the informant/complainant and the petitioner is an accused that in the past also such cases have been lodged against him. The

investigating agency will keep in mind that the petitioner is a government servant and is required to perform his duties. If he is made to visit Police Station every now and then, his functioning would be disturbed.

Considering the stand of the State, no further order is required to be passed in the present petition.

The petition is disposed of.

ASHUTOSH KUMAR, J

DECEMBER 11, 2015

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