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

+ **W.P.(CRL) 2710/2016**

MS POOJA DEVI

..... Petitioner

Through: **Mr. Shaad Anwar & Ms. Shabnam,**
Advocates.

versus

GOVT OF NCT OF DELHI

..... Respondent

Through: **Ms. Richa Kapoor, ASC and**
Mr.Ashish Negi & Ms. Seema
Patnaha, Advocates along with SI
Raghunath Singh, PS-Karawal Nagar,
for the State.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER

16.09.2016

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Issue notice. Ms. Kapoor accepts notice on behalf of the State.

The petitioner has preferred the present writ petition to seek a direction to the State to book the culprits and bring them to justice. The petitioner is the complainant in respect of FIR No.272/2016 dated 12.08.2016 registered under Section 307/ 498A/ 34 IPC at Police Station – Karawal Nagar. The allegations made in the FIR against the accused is that the accused, who are relatives of the petitioner's husband and the petitioner's husband, have physically tortured her, given her beatings and even threw her from the roof of the first floor of the house. The petitioner was pregnant at that time and her pregnancy had to be got aborted. She has also suffered spinal fracture and she is hospitalised. The petitioner's

husband has already been arrested. However, the other accused have not been arrested. The grievance of the petitioner is that the police is not taking action in the matter or arresting the other accused even though they are available. In fact, the petitioner is being pressurised and coerced by the accused, and even by the police, to settle the dispute with the accused. Ms. Kapoor submits that the husband of the petitioner has already been arrested and the other accused are on the run, which fact is disputed by the petitioner. Learned counsel for the petitioner has argued that the other accused have even visited the complainant in the hospital where she is bed ridden.

Having heard learned counsel, I am of the view that the petitioner should not only get justice but should be satisfied and have the confidence that the police is performing its task efficiently and in a non-partisan manner. Since the petitioner has expressed doubts on the role played by the I.O. concerned, without casting any aspersions on the present I.O., it is directed that the I.O. in the case shall be changed. The respondent shall also provide protection under the witness protection scheme to the complainant against any threat, coercion, or influence by the accused or anybody on their behalf.

The petition stands disposed of in the aforesaid terms.

Dasti.

VIPIN SANGHI, J

SEPTEMBER 16, 2016

B.S. Rohella