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

+ W.P.(CRL) 1625/2015

AISHWARYA RAO & ORS Petitioners
Through: Ms.Aishwarya Rao, Advocate.

versus

STATE (GOVT OF NCT OF DELHI) Respondent
Through: Ms.Richa Kapoor, A.S.C. for the
State with Mr.Ashish Negi, Advocate
with SI Sandeep Kumar, DIU/NDD,
SI Ashok Kumar, PS Patel Nagar

CORAM:

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

% **17.05.2016**

1. By way of this writ petition filed under Article 226 and 227 of the Constitution of India, read with Section 482 Cr.P.C., on not being satisfied with the manner of investigation conducted in case FIR No. 59/14, PS Barakhamba, New Delhi, petitioner has invoked the writ jurisdiction of this Court with the following relief:-

“b) issue order/direction/writ in the nature of the mandamus thereby directing the respondent to arrest Board of Directors of RCS Group Agents of RCS group, people who actively connived in cheating the investors particularly those whose names are mentioned in FIRs No.44/13, PS Barakhamba, New Delhi, FIR No. 59/14, PS Barakhamba, New Delhi and FIR No. 307/13, PS Patel Nagar, New Delhi.

c) take strict legal action against the other Board of Directors of RCS Group immediately by sealing & seizing their properties/bank accounts of RCS Group and passports of all the directors of RCS Group as well as legal heirs of deceased director Manoj Vashisht so that they do not abscond from the country.

d) take strict legal action against the erring police officials specially the IOs of the FIRs above mentioned who did not investigate the matter properly and did not make any efforts to arrest the accused persons despite NBWs and P.O. orders in various cases for the last several years.

2. Status report has been filed by the State to the effect that the investigation has been transferred to DIU. The petitioner No. 1 submits that further adjournment may be given so that investigation to be carried out by DIU can be monitored by this Court.

3. Suffice it to note here that instant case does not require monitoring by this Court of the investigation to be conducted by DIU. The grievance of the petitioner about the investigation by the local police being not conducted properly does not survive any further.

4. So far as prayer (d) of the petitioner for seeking action against the police officials is concerned, merely because the petitioner was not satisfied with the investigation or for not arresting the persons whose names were mentioned in the FIR, writ jurisdiction is not the proper remedy.

5. The writ petition is dismissed accordingly.

PRATIBHA RANI, J.

MAY 17, 2016

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