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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(CRL) 2486/2018, CRL.M.A. 30448/2018, CRL.M.A.
48546/2018, CRL.M.A. 48670/2018

SUNITA BHARDWAJ Petitioner
Through: Mr. Mehmood Pracha, Mr.
Yashovardhan Oza, Advocates
alongwith petitioner.

Versus

STATE & OTHERS Respondents
Through: Mr. Rahul Mehra, Standing Counsel
(Crl.), GNCTD alongwith Mr. Jamal
Akhtar, Advocate with SI Sandeep
Kumar, PS-DIU/NDD, ACP Girish
Kaushik and SI Rajesh Kumar, PS-
B.K. Road.
Mr. Sarthak Maggon, Advocate for
R-3.

CORAM:
HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER
% **11.12.2018**

CRL.M.A. 48545/2018 (by R-3 for sending the matter in the court of HMI
Mukta Gupta)

The learned counsel for respondent no. 3 does not press the
application. It is dismissed as not pressed.

The application stands disposed-off.

W.P.(CRL) 2486/2018, CRL.M.A. 30448/2018, CRL.M.A. 48546/2018,
CRL.M.A. 48670/2018

This petition seeks the following reliefs:-

“A) Writ, order or direction in the nature of certiorari

or any other writ, order or direction thereby quashing the FIR and all other proceedings forming part of the FIR bearing No. 82/2018 dated 12.07.2018 registered with P.S. Barakhamba Road, New Delhi;

B) Writ, order or direction in the nature of MANDAMUS or any other appropriate writ, order or direction thereby directing the respondent No.1, Delhi Police not to take coercive action against the petitioner.

C) Writ, order or direction in the nature of MANDAMUS or any other appropriate writ, order or direction thereby directing the police to lodge FIR against the respondents for lodging false complaints under the SC & ST (Prevention of Atrocities) Act, 1989 as a black mailing and extortion tactics.

D) Any other order as the Hon'ble Court may deem fit and proper in the facts and circumstances of the present case may also be passed in the interest of justice.”

The matter has since been investigated and Chargesheet in FIR No. 82/2018 registered with Police Station, Bharakhamba Road, is stated to be ready and is likely to be filed in the next one week. It is the petitioner's grievance that nothing of the nature alleged against her has happened. Indeed, one Personal Security Officer, who is arrayed as one of the witnesses, has declined the occurrence of any such incident incriminating the petitioner. It is her submission that her Personal Security Officer i.e. officer of the Delhi Police, who was present on the day, when the alleged incident happened is being pressurized by the Police Department into giving incriminating statement against the petitioner, therefore, the investigation be transferred to some other agency. This, however, is strongly refuted by the learned Standing Counsel for GNCTD. He submits that the petitioner would have the legal remedy before the Trial Court at the stage of framing of charges.

The petitioner has not been arrested thus far. It would be open to her to take preventive remedies apropos any coercive measures taken or proposed against her.

In view of the above, the learned counsel for the petitioner does not press the petition, at this stage.

The petitioner may address her arguments on the Chargesheet, which as stated by the learned Standing Counsel for GNCTD, will be filed in the next week. Should the petitioner subsequently have any grievance, requisite legal remedies be availed by her.

In view of the above, at this stage, the petition is dismissed as not pressed. Liberty granted.

DECEMBER 11, 2018

RW

NAJMI WAZIRI, J.