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

+ **W.P.(CRL) 2143/2017**

RAJNISH SRIVASTAVA

..... Petitioner

Represented by: Petitioner in person.

versus

STATE OF NCT OF DELHI & ORS

..... Respondent

Represented by: Ms. Nandita Rao, ASC for Mr.
R.S. Kundu, ASC with SI Sunil
PS Subhash Place.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

08.03.2018

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By this petition the petitioner seeks compensation of ₹25 lakhs for violation of his rights from respondents No.2 to 7 for illegal detention, registration of false case, preparing of the false enquiry report, harassment and intimidation. Petitioner had filed a complaint before the NHRC whereby interim compensation of ₹25,000/- was directed to be paid by the State which has since been paid and deducted from the salary of ASI Rakesh.

A vigilance inquiry was conducted. Findings of the ACP/Vigilance in the inquiry are as under:

“In the light of the facts submitted above it has been revealed that there was a dispute between husband and wife for a long period. The allegations of demand of money could not be substantiated. However, as per audio recording, ASI Rakesh Kumar had detailed the complainant in the police station on 25.8.13 and told him that he was being arrested but as per record he was not arrested on that day.

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The complainant made a complaint dated 29.8.13 against ASI Rakesh Kumar for his illegal detention. The complainant was arrested by SI Baljeet Singh u/S 107/151 Cr.P.C. on a PCR call on 01.10.13 which was marked to ASI Rakesh Kumar. The action taken by SI Baljeet Singh against the complainant seems to be motivated as the complainant had earlier made complaint against ASI Rakesh Kumar.”

ASI Rakesh Kumar who is stated to have illegally detained the petitioner is yet to face the departmental action. Interim compensation as noted above has already been awarded.

Since the petitioner is required to prove his illegal detention not only on 25th August, 2013 but also on 1st October, 2013, registration of false FIR, false enquiry report, harassment and intimidation, the petitioner who appears in person seeks leave to withdraw the petition with liberty to take appropriate remedies as available in law.

Petition is dismissed as withdrawn with liberty as prayed for.

MUKTA GUPTA, J.

MARCH 08, 2018
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