

63# \$~

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

+ **W.P.(CRL) 2991/2018**

POONAM VERMA

..... Petitioner

Represented by: **Mr. Ajay Gupta and Ms. Surbhi
Gupta, Advocates.**

versus

STATE (GOVT OF NCT OF DELHI) & ORS

..... Respondents

Represented by: **Ms. Kamna Vohra, Additional
Standing Counsel for State with ASI
Sunil Kumar, PS Hauz Qazi**

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

%

01.10.2018

Crl. M.A. No. 33308/2018 (Exemption)

Allowed, subject to all just exceptions.

W.P.(CRL) 2991/2018

1. In this petition the petitioner prays that respondent Nos.1 to 3 be immediately arrested and a proper inquiry be conducted against the accused persons named in the FIR No.162 dated 20th December, 2017 registered at PS Hauz Qazi, Delhi for offence punishable under Sections 354/509 IPC and protect the life and property of the petitioner from respondent No.4 and his family members.
2. Issue notice.
3. Learned Additional Standing Counsel accepts notice on behalf of the State.

W.P.(CRL) 2991/2018

Page 1 of 2

4. Learned Additional Standing Counsel for the State on instructions from the Investigating Officer states that after investigation of FIR No.162/2017 under Section 354/509 IPC, charge sheet has since been filed on 15th May, 2018. Further one FIR was also registered against the petitioner being FIR No.3/2018 under Sections 325/34 and charge sheet has been filed in the said FIR also. Charge sheet having already been filed, no directions are therefore, required to be passed against the respondents for the reason whether investigation can be completed without arrest or not is in the domain of the Investigating Officer to ascertain and a party cannot seek a writ of mandamus asking for arrest of an accused in the particular FIR. Further no case has been made out for an apprehended threat warranting directions for protection.

5. Petition is disposed of.

MUKTA GUPTA, J.

OCTOBER 01, 2018
‘vn’