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

+ **W.P.(CRL) 3696/2018**

VARSHA RANI

..... Petitioner

Through: Mr. Gurmeet Singh, Advocate
alongwith petitioner.

Versus

STATE THROUGH COMMISSIONER OF POLICE DELHI

..... Respondent

Through: Mr. Jamal Akhtar, Advocate for Mr.
Rahul Mehra, Standing Counsel for
State with W/ASI Harvinder Kaur,
PS-Dabri.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

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05.12.2018

CRL.M.A. 48882/2018 (Exemption)

Exemption allowed, subject to all just exceptions.

The application stands disposed-off.

W.P.(CRL) 3696/2018

Issue notice. Mr. Jamal Akhtar, Advocate for the State accepts notice.

The petitioner is aggrieved by the registration of an FIR under minor sections of IPC on her complaint against her husband and in-laws. She has alleged cruelties by them, in addition to demand of dowry. It is her contention that the case should be registered under sections 307, 406, 313, 377 and 506 of IPC. The learned counsel for the petitioner relies upon the judgment of the Supreme Court in *Lallan Chaudhary vs. State of Bihar* (2006) 12 SCC 229. It reads *inter alia*:-

“8. Section 154 of the Code thus casts a statutory duty upon police officer to register the case, as disclosed in the complaint, and then to proceed with the investigation. The mandate of Section 154 is manifestly clear that if any information disclosing a cognizable offence is laid before an officer in charge of a police station, such police officer has no other option except to register the case on the basis of such information”.

He submits that the complaint ought not to have been abridged or edited so as to take away the sting of the allegations.

The learned counsel for the State submits that the FIR was registered merely ten days ago and investigations are underway. He submits that should the investigation reveal further offences, appropriate sections under the relevant statute would be added to the FIR.

In the circumstance, this petition shall be treated by the DCP of the area concerned as the petitioner's representation. The petitioner may meet the DCP concerned on 12.12.2018, preferably in the forenoon; appropriate orders in the matter would be passed by the DCP concerned and the petitioner shall be informed about the same in two weeks thereafter. Should the petitioner still have any grievance, it will be open to her to seek appropriate remedies.

No further orders are required at this stage.

The petition is disposed-off in the above terms.

NAJMI WAZIRI, J.

DECEMBER 05, 2018

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