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

+ **W.P.(CRL) 3607/2018**

PARVEEN KUMAR

..... Petitioner

Through Mr N.K. Sahoo, Ms S.B. Sahoo,
Advocates.

versus

COMMISSIONER DELHI POLICE & ORS. Respondents

Through Ms Nandita Rao, ASC, Crl. – GNCTD
for State.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **16.09.2019**

CRL.M.A. 48180/2018

1. Allowed, subject to all just exceptions.
2. The application is disposed of.

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3. The petitioner has filed the present petition, *inter alia*, praying that directions be issued to respondent no.1 to set up an inquiry against the erring police officials, as they have not registered an FIR and not collected/preserved CCTV Footage at the alleged crime scene.
4. The petitioner also prays that the incident reported by the petitioner may be investigated by the DCP, Crime Branch.
5. In his complaint, the petitioner stated that he resides at A-175-176, Sector-2, Pocket-002, Rohini, Delhi-110085, along with his family. He

stated that while he was in his car on the main road, he was stopped near Suvidha Kunj, Pitampura, near Mahabir Hospital near building No. 12 and 13. Two unknown persons aged about 23 – 25 years had attacked him with a wooden *danda*. They had smashed the windscreen of his car and had escaped on a motorcycle bearing No. DL-45A-3993. He states that he had called the PCR Van and two police officials had come to the spot.

6. The petitioner claims that his statement was incorrectly recorded and alleges that the concerned police officials are delaying the investigation. They have not collected CCTV footage which will establish the identity of the miscreants.

7. Insofar as not collecting the CCTV camera footage is concerned, the respondent has filed a status report which indicates that efforts were made to ascertain whether there was any CCTV footage available. It is stated that CCTV cameras were fixed at the residential properties bearing No. 12 and 13, Suvidha Kunj, Pitampura. However, inquiries had revealed that the CCTV cameras on the property bearing no. 13 were not functional, due to some technical problems. The occupant of the property bearing no. 12 Suvidha Kunj, Pitampura had informed that CCTV cameras were installed at the said property, but were not functional.

8. The status report also indicates that since the petitioner had expressed apprehension regarding his safety, he was provided the contact details of a beat constable, however, he has had no occasion to report any other incident thereafter.

9. In view of the status report, this Court is not persuaded to accept that the concerned police officials are not conducting due inquiries. They have also found that the registration number of the vehicle, as provided by the

petitioner, is not that of a motorcycle but of a scooter. The petitioner had also named two persons whom he suspected. Their call records have also been checked. It is found that they were not near the site of the incident at the material time.

10. In view of the above, this court finds no reason to issue the directions as prayed for. In the event the petitioner is aggrieved by the non-registration of an FIR, he is at liberty to avail alternate remedies as available in law.

11. The petition is disposed of with the aforesaid directions.

VIBHU BAKHRU, J

SEPTEMBER 16, 2019

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