

\$~44

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

+ **W.P.(CRL) 611/2020**

MD. TUFAIL @ TUFAIL KHAN Petitioner
Through: Mr. Rajeev Kumar Yadav, Adv.

versus

THE STATE Respondent
Through: Mr. Rahul Mehra, Standing Counsel
with Mr. Jamal Akhtar, Mr.
Amanpreet Singh and Mr. Anand
Thumbayil, Advs. with SI Arun
Kumar, H.N.Din.

CORAM:
HON'BLE MR. JUSTICE RAJNISH BHATNAGAR

ORDER

% **03.03.2020**

CrI. M.A. No. 4733/2020 (for exemption)

Exemption allowed subject to just exceptions.

The application stands disposed of.

W.P.(CRL) 611/2020

The petitioner, by way of this petition seeks the following reliefs:

“A. Issue appropriate writ, order or direction in the nature of mandamus or any other appropriate writ, order or direction thereby direct to properly investigate the FIR bearing No.09/2020 dated 13.01.2020 registered at PS Hazrat Nizamuddin under section 354/506/509 of IPC and 8 POCSO Act and find out the truth being the repeated implication of the petitioner by the land mafia drug mafia, encroacher in connivance with IO SI Arun Kumar;

B. Issue appropriate writ, order or direction in the nature of mandamus or any other appropriate writ, order or direction thereby direct the Respondent No.1 to appoint a high rank officer of the Police to enquiry into any complaint, if any, pending or lodged against the petitioner or his family members in future.”

On 12.9.2019, this Court passed the following order:

“It is submitted by the petitioner that new SHO has joined in Police Station Hazrat Nizamuddin. He further submits that he will be satisfied if the new SHO will oversee the investigation in this case. In view of the statement of the petitioner, the petition stands disposed of with the above said direction to the SHO. Copy of the order be sent to the concerned SHO.”

The order reveals that the petitioner was satisfied if the investigation would be oversee by the new SHO who has taken over Hazrat Nizamuddin. As of now, IO Mukesh Kumar continues to be the SHO of Hazrat Nizamuddin. So, I do not think any appropriate directions need to be send regarding the investigation to concerned SHO or DCP. It is submitted by the counsel for the petitioner that he has filed a complaint on 14.1.2020 which is not being looked into. It is submitted by standing counsel for the State that the complaint is under investigation and it will be dealt as per law.

In these circumstances, nothing survives in this petition. The petition stands disposed of.

RAJNISH BHATNAGAR, J

MARCH 03, 2020 /ib