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IN THE HIGH COURT OF DELHI AT NEW DELHI

+ W.P.(CRL) 806/2020

DEV ASHISH DUBEY

..... Petitioner

Through: Mr. Dushyant Tiwari and Mr. Om
Prakash Parihar, Advocates

versus

GOVT.OF NCT OF DELHI & ORS.

..... Respondents

Through: Mr. Rahul Mehra, Standing Counsel
(Criminal) with Mr. Chaitanya
Gosain, Advocate for R-1/GNCTD
Mrs. Maninder Acharya, ASG with
Mr. Anurag Ahluwalia, CGSC, Mr.
Abhigyan Siddhant and Mr. Viplav
Acharya, Advocates for R-2
Mr. Mukul Rohatgi, Sr. Advocate
with Mr. Ajit Warriar, Advocate for
R-3
Ms. Neelam Narang, Advocate for
R-4

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

HON'BLE MR. JUSTICE TALWANT SINGH

ORDER

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18.05.2020

The present writ petition has been taken up for hearing by way of Video Conferencing on account of lockdown due to COVID-19.

The present Public Interest Litigation has been instituted on behalf of Mr. Dev Ashish Dubey, who, it is stated, is a Good Samaritan, interested in the well-being of the citizens at large.

The petition prays as follows:-

In view of the facts & circumstances stated above, it is most respectfully prayed that this Hon'ble Court in public interest may be pleased to: -

- a) Issue appropriate writ directing the Respondent No. 1 and 2 to get the Instagram group "Bois Locker Room" issue investigated through SIT or CBI.
- b) Issue appropriate writ directing the Respondent No. 1 and 2 to arrest all the Instagram Group "Bios Locker Room" members immediately.
- c) Issue appropriate writ directing the Respondent No. 1 and 2 to provide safety to the girls and women who have expose this heinous crime of students, so that they cannot be harmed by the members of "Bois Locker Room" group.
- d) Issue or pass any writ, direction or order, which this Hon'ble court may deem fit and proper under the facts and circumstances of the case.

We have heard learned counsel appearing on behalf of the parties.

It is an admitted position that the Cyber Crime Unit, Special Cell, CYPAD has registered FIR No.124/2020, under Sections 465/469/471/509 IPC read with Section 67 and 67A of the Information and Technology Act, 2000 on 04.05.2020.

Pursuant to the registration of the subject FIR, two persons including a minor have been arrested by the Special Cell, CYPAD and 24 mobile telephones have been recovered, which have been sent to the Forensic Science Laboratory, Delhi.

In view of the foregoing, learned counsel appearing on behalf of the petitioner states that, he would be satisfied, if the Delhi Police are directed

to conduct an expeditious investigation into the subject FIR and submit a final report.

Learned counsel appearing on behalf of the petitioner further states that, in view of the foregoing, he does not press prayer clause (a) and (b) of the present writ petition. However, he states that, the Delhi Police should be directed to ensure the safety and well-being of the complainant(s) in the subject FIR.

We, therefore, dispose of the present petition with a direction to the Delhi Police to conduct a free, fair and impartial investigation into the subject FIR and file a final report before the court of competent jurisdiction expeditiously, in accordance with law.

The Delhi Police shall also ensure that the complaint forwarded on behalf of the Delhi Commission for Women, raising the issue qua the safety and well-being of the complainant is responded to appropriately, at the earliest.

No further directions are called for.

With the above directions, the writ petition is disposed of.

A copy of this order be uploaded on the website of this Court forthwith.

SIDDHARTH MRIDUL, J

TALWANT SINGH, J

MAY 18, 2020

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