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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CrI.) 1088/2020.**

RAMPAL

..... Petitioner

Through: Mr.Saroj Kumar Jha, Advocate

versus

STATE GNCT OF DELHI

..... Respondent

Through: Mr.Sanjay Lao, ASC for State

CORAM:

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

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13.08.2020

(Hearing through Video Conferencing)

Vide the present petition, the petitioner has sought a direction seeking the transferring of the investigation of the case FIR No. 709/2020 dated 11.7.2020 Police Station Ranhola District Outer registered under Sections 302/34 of the Indian Penal Code, 1860 to the Crime Branch or any other appropriate investigating agency in order to have a fair, impartial and expeditious investigation.

Through the petition , it has also been submitted that there were threats being meted out by the petitioner qua which an e-mail was sent to the DCP concerned and that the petitioner and his family members are regularly getting threats from the associates of the accused persons and the petitioner and his family members are living in fear. Inter alia, it has been submitted on behalf of the petitioner that the petitioner belongs to the scheduled castes category i.e. valmiki and the area of the house of the petitioner is a Muslim dominated area and that the applicant apprehends some kind of communal disharmony as averred in paragraph 7 of the petition.

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By: SUMIT CHAI
Signing Date: 13.08.2020
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As indicated vide order dated 20.7.2020, the learned Additional Standing Counsel for the State informed that the contact numbers of the beat constable and the SHO concerned have already been provided to the petitioner and that there was a telephonic conversation and a constable was also visiting twice a day. It was also submitted on behalf of the State that adequate protection as and when required by the petitioner would be provided.

The status report that has been submitted on behalf of the State dated 8.8.2020 under the signatures of the SHO concerned Police Station Ranhola indicates that the investigation is still in progress in as much as the accused Saif Ali @ Saif Khan S/o Mansoor Ahmed aged 20 years and Sahil @ Suraj S/o Kalicharan aged 20 years had been arrested on the date of incident itself i.e., 11.7.2020. The status report also indicates that the weapon of offence i.e., the buttoned knife was also recovered from the possession of accused Saif Ali @ Saif Khan and Section 25 Arms Act was also added in the case. The other co-accused Rajkumar @ Buri S/o Puran @ Bhikari is indicated to have been arrested on 18.7.2020 and a JCL was apprehended on 24.7.2020. Apparently the said status report indicates that the investigation is in progress and thus is it not considered appropriate in the circumstances to presently transfer the investigation from Police Station Ranhola to any other Investigating Agency. The said status report further indicates that the petitioner is being updated about the progress in investigation and the concerned beat constable has been directed to visit the petitioner regularly and to remain in touch with the petitioner and that there has been no incident or complaint of communal disharmony of any other untoward incident that has been reported so far.

On behalf of the petitioner it has been submitted that there have been no such visits of the beat constable.

On behalf of the State it has been submitted that the SHO concerned be thus directed to maintain a register of the visits made by beat constable at the residence of the complainant and signatures of the family member there be taken. It is also submitted by the State that adequate protection would be provided to the petitioner as and when required.

In view of the submissions made on behalf of the State, the SHO concerned shall ensure that a register of the daily visits for a period of 30 days be maintained by the SHO Ranhola with the signatures of the persons present at the residence of the complainant. The State shall ensure that adequate protection is granted to the petitioner and his family members as and when the same is required and a complaint thereto is made. No further action is called for in the petition presently.

The petition is disposed of accordingly.

ANU MALHOTRA, J

AUGUST 13, 2020/SV