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

+ **W.P.(CRL) 3191/2018 and CRL.M.A. 47931/2018**

RASHI

..... Petitioner

Through: Ms Priyanka Jain, Advocate along
with petitioner in person.

versus

POLICE COMMISSIONER DELHI & ORS

..... Respondents

Through: Ms Nandita Rao, ASC for State.
SI Avdhesh Dixit, PS Neb Sarai.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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24.02.2020

1. The petitioner has filed the present petition, *inter alia*, praying that directions be issued to respondent no.1 to conduct an inquiry and take legal, as well as departmental action, against respondent nos. 2 and 3.
2. The petitioner alleges that respondent nos. 2 and 3 colluded and connived with the accused persons and have been misusing their powers.
3. The present petition stems from a scuffle that had taken on 24.09.2017. Still photographs from the CCTV footage of the said scuffle have been placed on record. One of the petitioner's grievance is that respondent nos. 2 and 3 were present at the site but did not take necessary pro-active steps to protect the petitioner and her family.
4. The petitioner states that she had made a call to the police much prior to the incident in order that she and her family be protected. However, respondent nos. 2 and 3 had failed to take the necessary steps.

5. The petitioner also alleges that respondent nos. 2 and 3 have, in connivance with the accused, filed a charge-sheet naming certain persons who were not present there at the site.
6. Insofar as the role of respondent nos. 2 and 3 is concerned, this Court is informed that a vigilance inquiry was held and they have been exonerated.
7. There appears to be some merit in the petitioner's grievance that the police officials should have taken more pro-active steps to ensure law and order is maintained. However, it is contended on behalf of the State that the incident happened in a flash and, therefore, they could not intervene.
8. This Court does not find the said contention to be persuasive. In the given circumstances, respondent no.1 is directed to examine the case and take such steps as warranted.
9. Insofar as the petitioner's grievance regarding the charge-sheet is concerned, this Court does not consider it apposite to examine the same in these proceedings.
10. The charge-sheet has been filed and the proceedings would be carried to a logical end. All rights and contentions of the petitioner are reserved.
11. The petition is disposed of in the aforesaid terms. The pending application is also disposed of.

VIBHU BAKHRU, J

FEBRUARY 24, 2020
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