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

+ **W.P.(CRL) 3914/2018**

SWAMI AGNIVESH

..... Petitioner

Through Mr Mehmood Pracha, Advocate.

versus

UNION OF INDIA & ORS

..... Respondents

Through Mr Anil Soni, CGSC with

Mr DeveshDubey, Advocates for R1/UOI.

Mr Mishal Vij, Advocate for Mr Anil

Grover, SPP CBI

Ms Richa Kapoor, ASC with Mr Shalya Agarwal,

Mr Shivani Sharma, Advocates.

SI Yogendra Kumar, P.S. I.P. Estate.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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16.01.2020

1. The petitioner has filed the present petition, *inter alia*, praying that the investigation in relation to FIR No. 0214/2018 under Sections 323/341/34 of the IPC registered with PS I.P. Estate be transferred to any other central independent investigating agency.
2. He further prays that directions be issued to the respondents to ensure the protection of the life and limb of the petitioner by taking urgent security measures.
3. The said petition was filed in view of an incident that had occurred on 17.08.2018 when the petitioner was attacked by certain persons. It is pointed out that there is video footage of the said attack and the same has been

recovered; nonetheless, the assailants have not been identified. The petitioner has alleged that the said assailants belong to a national political party and are being shielded.

4. The status report indicates that inquiries have been made and photographs of the alleged persons have also been shown to a coordinator of the political party in question and he has been unable to identify the said persons/assailants. It is stated that the photographs of said assailants have been put up in the area and efforts are being made to trace them.

5. Insofar as protecting the petitioner is concerned, the status report indicates that two guards have been detailed (in two shifts of twelve hours each) to protect the petitioners.

6. Mr Pracha, learned counsel appearing for the petitioner submits that the said protection is inadequate. He states that the petitioner would be satisfied if his security requirement is reassessed by any independent person.

7. In view of the above, this Court directs the Commissioner of Police, Delhi to review the security arrangements provided to the petitioner and pass directions for providing such further security to the petitioner as he considers necessary.

8. Insofar as transferring the investigation to another independent agency is concerned, this Court does not consider it apposite to pass this order since the status report does indicate that efforts are being made by the concerned police authorities.

9. Having stated the above, this Court is also of the view that further efforts are required to be made by the police authorities. If the photographs of the assailants are available, as is indicated in the status report, the police authorities are required to disseminate information regarding these

photographs for apprehending the persons involved. In order to elicit information from the public, the police may also declare an award for information relating to their identify.

10. The concerned police authorities are directed to take necessary steps and ensure that the assailants are identified and apprehended.

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

12. Order *dasti* under the signature of Court Master.

VIBHU BAKHRU, J

JANUARY 16, 2020

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