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

+ **W.P.(CRL) 245/2022 & CRL.M.A. 2229/2022**

SHEELA DEVI

..... Petitioner

Through: Mr. Sanjay Rathi and Mr. Deepak
Khatri, Advocates

versus

GOVT. OF NCT OF DELHI THROUGH LT. GOVERNOR & ORS.

..... Respondents

Through: Ms. Rupali Bandhopadhyay, ASC for
State with Mr. Abhijeet Kumar, Advocate along
with SI Gurtej Singh, PS: J.P. Kalan.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

20.02.2024

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1. This petition has been filed on behalf of the Petitioner seeking the following reliefs:

"a) issue a writ, order or direction or any other appropriate writ to conduct a fair and proper investigation through Central Bureau Investigation in F.I.R. bearing No.0124/2021, U/sec. 186/353/307/34 IPC and Section 25/27 of Arms Act, P.S. Jaffarpur Kalan;

b) Issue writ, order or direction thereby directing the Respondent No.2 to preserve the CDR with location of mobiles of the Respondent No.3 to 12 along with CDR and location of mobiles of Parvesh@ Totu 9873308725, Wi-Fi Devise No.7206618612; Dinesh @ Bander 8683861152; Sunil @ Bachhi 7206558391; Chander Pal @ Chandu 8826606890 & 9315559731 for the period of 23.08.2021 and 24.08.2021;

c) Issue writ, Order or directions thereby directing the Respondent No.2 to submit CCTV footage of P.S. Jaffarpur Kalan and P.S. Sector-23, Dwarka already preserved for the period of 23.08.2021 to 24.08.2021 before this Hon'ble court or before the Hon'ble court of Sh. Vishal Gogne, ASJ, Dwarka, N.Delhi where the trial of case FIR No. 124/2021 is pending;

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d) Issue writ, order or direction thereby directing the respondent no.2 to consider the representation/complaint of the petitioner dated 08.09.2021 lodged at P.S. Sector 23, Dwarka New Delhi and register the case against the Respondent No.3 to 12 under the provision of Indian Penal Code.”

2. Status report has been filed on behalf of the State in which it is stated that on an application under Section 91 Cr.P.C. filed by the accused persons for preserving the CCTV footages of PS: Dwarka Sector-23 and PS: Jaffarpur Kalan before the Trial Court, as per the directions of the learned MM, CCTV footages of PS: Jaffarpur Kalan and PS: Dwarka Sector-23 dated 23.08.2021 and 24.08.2021 have been preserved and deposited in PS: Malkhana and as and when called for or requisitioned by the learned Trial Court during trial, the said CCTV footages shall be produced before the learned Trial Court. Therefore, grievance of the Applicant, stands redressed.

3. Insofar as the prayer for transfer of the investigation is concerned, it is stated in the status report that investigation is complete and charge sheet has been filed. At this stage, learned counsel for the Petitioner seeks liberty to take recourse to appropriate remedies since according to him, Petitioner has been falsely implicated in the matter and has not committed the offence.

4. Writ petition along with pending application stands disposed of, granting liberty to the Petitioner to take recourse to appropriate remedies, in accordance with law.

JYOTI SINGH, J

FEBRUARY 20, 2024/kks

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