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

+ **W.P.(CRL) 531/2023**

ZAHIDA & ANR.

..... Petitioners

Through: Mr. Mujeeb Ahmed, Advocate

versus

COMMISSIONER OF POLICE & ORS.

..... Respondents

Through: Mr. Rahul Tyagi, ASC for the State
with Ms. Priya Rai, Mr. Sangeet
Sibou, Mr. Jatin and Mr. Mathew M.
Philip, Advocates

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

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19.03.2024

1. The instant petition under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been filed on behalf of petitioners seeking following prayer:

- "i. Conduct a vigilance inquiry by the Spl. CP Vigilance on the complaints/representation given by the petitioners and place the report before this Hon'ble court for further proceeding/action against the conduct of Respondent NO. 3 and his subordinate officials.
- ii. Preserve the CCTV RECORDING of cameras install in Police station Hazrat Nizamuddin on the intervening night of 3 and 4 February 2023 to fetch the truth.
- iii. Take the cognizance/penal action against the responsible persons who conceal/suppress the real facts.



- iv. Protect the life, liberty, and livelihood of the Petitioners further protect from being implicating the petitioners in false and fabricated cases by respondent No. 3 or their sub ordinates officials.”
2. This Court has heard arguments addressed on behalf of both the sides.
3. As far as prayer (i) is concerned, the Special Commissioner of Police, Vigilance will treat the present writ petition as representation filed by the petitioner and proceed as per law in this case, under intimation regarding outcome of the inquiry to the petitioner.
4. This Court has been informed that the CCTV recording as prayed for in prayer no. (ii) has been preserved and the same is in the custody of the SHO concerned.
5. As far as prayer (iii) is concerned, the FIR has been registered on the complaint of complainant bearing FIR no. 187/2022.
6. Considering the overall facts and circumstances of the case, and the fact that petitioners have prayed for protection of their life as they are apprehending threat from accused persons, the petitioners are directed to provide their mobile numbers to the Investigating Officer and SHO concerned. Similarly, the mobile numbers of concerned IO, SHO and beat constable be also shared with the petitioners.
7. The officials of P.S. Hazrat Nizamuddin including SHO are directed to provide adequate protection to the petitioners from accused persons, in case such circumstances arise.
8. Learned counsel for petitioner states that he is satisfied with the aforesaid arrangement.
9. In view thereof, the present writ petition stands satisfied and is disposed of in above terms.



10. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

MARCH 19, 2024/ns

Click here to check corrigendum, if any