



\$~79

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 870/2024**
D Petitioner

Through: Petitioner in person.

versus

NCT OF DELHI & ORS. Respondents

Through: Mr. Sanjeev Bhandari, ASC for State
with Ms. Anvita Bhandari, Mr. Kunal
Mittal, Mr. Arjit Sharma and Mr.
Vaibhav Vats, Advs. with Insp. Arun
Kumar Chauhan and SI Neeti, PS.
Jahangir Puri.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

15.03.2024

%

CRL.M.A. 8267/2024 (exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

W.P.(CRL) 870/2024

3. The present petition has been filed under Article 226 of the Constitution of India read with Section 482 Cr.P.C. seeking the following relief:-

(i) *Allow the present petition and issue writ of mandamus or any other appropriate writ for calling the explanation from the Respondents no. 2 & 3 for non registration of the FIR and from respondent no. 5 & 6 for transfer of the abovementioned complaint.*



(ii) *Issue a writ mandamus of direction of the order of like nature, thereby directing the respondents no 5 to restore the investigation of the case (complaint no. 8170029072400005) P.S Moti nagar by taking the appropriate action for illegal transfer of the above said complaint to respondent 4 by respondent no. 5*

(iii) *Issue a writ mandamus of direction of the order of like nature, thereby restraining the respondents from pressurising and harassing the petitioner to compound her complaints and directing the investigation officer to ensure that the alleged accused or his family or any of their representatives do not contact the petitioner / or her family.*

(iv) *Impose heavy cost upon the Respondent No.3 to-6 for contempt of the Hon'ble Apex Court's directions in Lalita Kumari vs. State of U.P, for realization of their fault and by this way a message would travel among the police officers not to be adamant and detrimental in case of cognizable offence;*

(v) *To issue a Writ in the nature of Mandamus directing the Hon'ble Rohini Court to conduct In- Camera proceedings in Ct. Case no. 220/2024 u/s 156(3) Cr.P.C against the respondent no. 3 and 4 . since the matter pertains to sexual assault.*

4. Issue notice. The learned ASC for the State accepts notice.
5. He apprises the Court that on the basis of the complaint of the petitioner, the FIR has already been registered under Section 376 IPC at Police Station Jahangir Puri.
6. Further, the petitioner appearing in person submits that certain complaints have also been made by her *qua* the I.O. However, without going into the allegations made against the I.O and to allay the petitioner's doubt with regard to fair investigation, it is deemed appropriate that some other I.O may be entrusted with the investigation of the matter. Ordered accordingly.



7. Further, the DCP, North-West, is also directed to monitor the investigation on a periodical basis.
8. It is also made clear that in case the petitioner has any grievance in future, the petitioner shall be at liberty to approach the appropriate forum.
9. The petition stands disposed of.

VIKAS MAHAJAN, J

MARCH 15, 2024/dss