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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 1187/2023, CRL.M.A. 11194/2023**
XYZ

.....Petitioner

Through: Mr. Anubhav Singh and Mr. Rajat
Bhatia, Advocates

versus

**STATE (NCT OF DELHI) THROUGH DEPUTY COMMISSIONER
OF POLICE & ORS. & ORS.**

.....Respondents

Through: Mr. Sanjeev Bhandari, ASC for the
State with SI Ekta, PS Bindapur

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

29.08.2024

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1. The present Petition has been filed under Article 226 and 227 of the
Constitution of India read with Section 482 of the Code of Criminal
Procedure with the following prayers:

(i) Issuance of writ in nature of mandamus or any other appropriate writ, order or direction to appoint an officer not below the rank of ACP to investigate the into the FIR no. 259 of 2023, PS Bindapur and to conduct a fair and effective investigation.

(ii) Issuance of writ in nature of mandamus or any other appropriate writ, order or direction thereby calling explanation from the Respondent No. 3 for delay in registering FIR.

(iii) Issuance of writ in nature of mandamus or any other appropriate writ, order or direction thereby directing the Respondent No. 1 to register a case u/s 166A of IPC, 1860 against the SHO, PS Bindapur namely Sh. Rajesh Malik, his predecessor namely Ms. Yogita Sharma, and IO Durgesh Kumari.

(iv) Issuance of writ in nature of mandamus or any other appropriate writ, order or direction thereby directing the



Respondent No. 1 to register a case u/s 195A of IPC, 1860 along with relevant sections against the wife of the accused namely Smt. Sunita Tripathi and other persons for threatening the Petitioner and the Victim Child to withdraw the complaints and to give false statements before the Ld. MM.

(v) Issuance of writ in nature of mandamus or any other appropriate writ, order or direction thereby directing the Respondent No. 1 to initiate Departmental Inquiry against the concerned officials of PS Bindapur for gross misconduct in carrying out their duty and blatant violation of law.

(vi) Issuance of writ in nature of mandamus or any other appropriate writ, order or direction thereby directing the Respondent No. 1 to ensure the security to the life of the Petitioner and Victim Child from the Accused and his family members in appropriate manner.

(vii) pass any order in favour of the Petitioner that this Hon'ble court may deem fit in the interest of justice.

2. Learned ASC for the State has filed various Status Reports wherein it is stated that due investigations are being carried out in the aforesaid matter. In the final Status Report, it has been submitted that the Charge Sheet has already been filed in the Court.

The counsel for the petitioner has not been appearing in the Court since October, 2023 and the dates are being taken on the same ground.

3. All the grievances of the petitioner have either become infunctuous or may be agitated at the appropriate stage before the learned Trial Court.

4. No further directions are hence required and the present Petition is accordingly disposed of along with the pending Application.

NEENA BANSAL KRISHNA, J

AUGUST 29, 2024/PT