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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(CRL) 1021/2024 & CRL.M.A. 9664/2024 for direction to the
police to file a status report

KRISHNA KANT KUNWAR Petitioner

Through: Mr. Munish Kumar Gaur & Mr.
Umesh Sharma, Advs.

versus

THE STATE (GOVT. OF NCT OF DELHI), & ANR.

..... Respondents

Through: Mr. Sanjay Lao, Standing Counsel
(Crl.) with Mr. Abhinav Kumar Arya,
Adv. for State alongwith SI Kuldeep
Yadav, P.S. Barakhamba Road, Distt,
New Delhi.

CORAM:
HON'BLE MR. JUSTICE AMIT SHARMA

ORDER
03.05.2024

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1. The present petition under Article 226 & 227 of the Constitution of
India read with Section 482 of the Cr.P.C. seeks the following prayers:-

“i) Writ, Order or direction in the nature of MANDAMUS or any
other appropriate writ, order or direction in favour of the petitioner,
thereby directing the Investigating Officer of FIR No. 26/2021, PS Bara
Khambha Road, New Delhi to complete the investigation and file the
charge report before the court instead of delaying the matter under the
garb of status report inordinately.

ii) Writ, Order or direction in the nature of MANDAMUS or any other
appropriate writ, order or direction in favour of the petitioner, thereby
directing the fast track and time bound trial of the FIR No. 26/2021, PS
Bara Khambha Road, New Delhi before the court of Ld. Metropolitan
Magistrate, PS Bara Khambha Road, New Delhi at Patiala House
Courts, New Delhi.

iii) Allowing the cost of the Petition.



Any other order which the court may deem fit and proper in the facts of the case passed”.

2. Learned Standing Counsel for the State, has handed over the status report dated 02.05.2024 authored by Inspector Mahabir Singh, SHO, P.S. Barabhamba Road in Court, today wherein, it has been recorded that investigation is complete and closure report has been filed before the Court of competent jurisdiction on 02.05.2024 and the next date before said Court has been fixed for 03.08.2024.
3. In view of the above, learned counsel appearing on behalf of the petitioner seeks leave to withdraw the present petition with liberty to file a protest petition before the learned Trial Court.
4. Learned counsel for the petitioner submits that incident relates to 2010, however, the FIR was registered in 2021 and that in view of the same, learned Trial Court may be directed to dispose of the protest petition expeditiously in the interest of justice.
5. The present petition is dismissed as withdrawn and disposed of.
6. Pending application, if any, also stands disposed of.
7. Needless to state that on protest petition being filed by the petitioner, the same shall be disposed of by the learned Trial Court as expeditiously as possible preferably within a period of three months without giving any undue adjournment to either of the parties.
8. Copy of the order be sent to learned Trial Court for necessary information and compliance.
9. Order be uploaded on the website of this Court, *forthwith*.

AMIT SHARMA, J

MAY 3, 2024/nk

Click here to check corrigendum, if any