



\$~85

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

+ **W.P.(CRL) 1260/2024 & CRL.M.A. 12246/2024**

SAURABH GOSWAMI

..... Petitioner

Through: Mr. Sharwan Shokeen,
Mr. R.R. Bhari, Ms. Aditi
Shivadhatri & Mrs. S.
Rani, Advocates

versus

STATE

..... Respondent

Through: Mr. Sanjeev Bhandari,
ASC with Ms. Anvita
Bhandari, Mr. Kunal
Mittal, Mr. Arjit Sharma &
Mr. Vaibhav Vats,
Advocates for the State
with SI Manish Kumar, PS
Aman Vihar.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

%

25.04.2024

1. The present petition has been filed under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 seeking directions to the respondent to decide the representation dated 20.04.2024, filed by the petitioner concerning his complaint dated 12.04.2024.
2. The learned Additional Standing Counsel for the State ('ASC'), at the outset, submits that on a complaint given by the petitioner on 12.04.2024 an FIR has already been registered on 14.04.2024.
3. The learned counsel for the petitioner submits that the said FIR was registered on the complaint given by the petitioner's cousin and not the petitioner. He submits that the petitioner in



any case at this stage does not want to pursue with the complaint dated 12.04.2024 in relation to ransom and threat. He submits that he has already given a representation dated 20.04.2024 to the police not to investigate the complaint which he had given on 12.04.2024.

4. The learned ASC appearing on advance notice submits that once a complaint in relation to the cognizable offence is submitted, it is the duty of the State to investigate the allegations. He submits that the petitioner in his complainant has leveled allegations of extortion and threat to his life, and these allegations are not of such nature which can be settled or are not required to be looked into.

5. The offences alleged in the complaint 12.04.2024, are not compoundable in nature and the petitioner at this stage is not in a position to request not to investigate.

6. The State is duly bound to register FIR and investigate the allegations alleged in the complaint if the same discloses commission of cognizable offence.

7. The petitioner had given a complaint dated 12.04.2024 alleging commission of cognizable offences. The FIR is stated to have been registered on the said complaint. Any representation to the Police to not investigate the matter, in the opinion of this Court, has rightly been not addressed by the State.

8. In view of the above, no orders are required to be passed in this petition.

9. The petition is disposed of in the aforesaid terms.

AMIT MAHAJAN, J

APRIL 25, 2024

‘hkaur’