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

+ **W.P.(CRL) 1555/2022**

USHA KAPOOR & ANR.

.....Petitioners

Through: **Mr. Bhavisya Mohaniya, Adv.(VC)**

versus

GOVERNMENT OF NCT OF DELHI

.....Respondent

Through: **Mr. Yasir Rauf Ansari, APP for the State with SI Satish Kumar, PS Bara Hindu Rao.**

Mr. Rishikesh Kumar, ASC, GNCTD with Ms. Sheenu Priya, Mr. Atik Gill, Mr. Sudhir Kumar Shukla, Mr. Sudhir, Advs.

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER

22.07.2024

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1. The present criminal writ petition under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 (CrPC) has been filed seeking following reliefs:

“1. Issue a writ of Mandamus or any other appropriate writ, direction, order to direct the Respondent to perform its statutory duty and pass an order on the Application Dt.27.08.2019;

2. Pass any other order as the Hon'ble Court may deem fit and proper in the facts and circumstances of the present case.”

2. Learned Standing counsel submits that as per his instructions, the process for grant of sanction under Section 140 of the Delhi Police Act, 1978 read with Section 197 of the Cr.PC has duly been



completed. Learned standing counsel submits that as per order dated 11.12.2023, it was found that there is no cogent material to justify the grant of prosecution sanction under Section 140 of the Delhi Police Act, 1978 read with Section 197 of the Cr.PC against Sh. Virendra Singh and Sh. Sanjay Kumar Jha.

3. Since, the prayer made in the present petition was only to the extent to direct the respondent to perform its statutory duties and passed an order on application dated 27.08.2019. The application dated 27.08.2019 was moved by the petitioner before the Hon'ble Lieutenant Governor of Delhi regarding the sanction the prosecution of the police officer. Since the matter has already been decided, the present petition stands infructuous. However, the petitioner is at liberty to pursue the legal remedies in accordance with the law.

DINESH KUMAR SHARMA, J

JULY 22, 2024

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