



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

+ **CRL.M.C. 5591/2019 & CRL.M.A. 39442/2019**
GAURAV KUMAR & ORSPetitioners
Through: Petitioners in person.

versus

STATE OF DELHI & ANRRespondents
Through: Mr. Naresh Kumar
Chahar, APP for the State
with SI Pavan Kumar, PS
DIU/SED & Insp. Satbir
Singh, PS Jaitpur.
Mr. Rajesh Rathor,
Advocate for R-2.

+ **CRL.M.C. 1089/2022 & CRL.M.A. 4692/2022**
PINKULA DEVI & ORS.Petitioners
Through: Mr. Rajesh Rathor, Adv.

versus

STATE OF DELHI & ANR.Respondents
Through: Mr. Naresh Kumar
Chahar, APP for the State
with Insp. Satbir Singh, PS
Jaitpur.

CORAM:
HON'BLE MR. JUSTICE AMIT MAHAJAN

% **ORDER**
08.10.2024

1. The petitioners in CRL.M.C. 5591/2019 appears through video – conferencing, and are essentially aggrieved by the investigation carried out by the police in FIR No. 530/2018. It is alleged that the investigations have not been adequately carried out by the police.

2. The petitioners draw the attention of this Court to the



Administrative Order dated 22.11.2018 wherein the Joint Commissioner transferred investigation of the FIR No. 531/2018 dated 30.08.2018 to the District Investigation Unit (DIU). The investigation of cross FIR No. 530/2018 was also transferred.

3. A query was put to the learned Additional Public Prosecutor for the State as to why the Administrative Order was not complied with.

4. In response, status report has been filed, indicating that charge sheets had already been filed in both cases. It is stated that the Joint Commissioner, Southern Range, had directed the transfer of investigation in FIR No. 531/2018 to the DIU by an order dated 22.11.2018, which was received at Police Station Jaitpur on 03.12.2018. However, by that time, the investigations in both FIR Nos. 530/2018 and 531/2018 had already been completed. The charge sheet in FIR No. 531/2018 had been forwarded to the concerned court on 07.11.2018, and the charge sheet in FIR No. 530/2018 had been sent on 30.11.2018.

5. Furthermore, the learned Trial Court considering the lacuna in the investigation conducted by the police in FIR No. 531/2018, ordered further investigation by the DIU *vide* order dated 19.12.2020. The learned Trial Court noted that after the Joint Commissioner, Southern Range, transferred the investigation of the case to the DIU in FIR No. 531/2018, the police officials in violation of the said order, filed the charge sheet, before the matter could be investigated by DIU. After the completion of further investigation, as directed by the learned Trial Court *vide* order dated 19.12.2020, a fresh charge sheet was submitted to the concerned court.

6. Respondent No.2 in CRL.M.C. 5591/2019 (that is, Petitioner No.1 in CRL.M.C. 1089/2022) is the complainant in



FIR No. 530/2018. On being asked the learned counsel for the petitioner in CRL.M.C. 1089/2022 submits that the petition was filed since the petitioner in CRL.M.C. 5591/2019 had filed a petition.

7. Concededly, the chargesheet has already been filed in the both FIRs and if the petitioners believe that some relevant aspect of the investigation remains unaddressed, they are at liberty to file an appropriate application before the concerned court for further consideration.

8. This court does not deem it appropriate to keep the present petitions pending.

9. The present petitions are disposed of, alongwith all the pending applications.

10. However, the petitioners are at liberty to approach this Court, if any, grievance remains.

11. A copy of the order be placed in both the matters.

AMIT MAHAJAN, J

OCTOBER 8, 2024