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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 2302/2024**
IMRAN BEGPetitioner

Through: Dr. Amarendra Pratap Yadav,
Ms. Satyama Dubey and Mr. Alok
Singh, Advs.

versus

STATE OF NCT OF DELHI & ANR.Respondents
Through: Mr. Anmol Sinha, ASC for the State
with Ms. R. Rama, Mr. B. P. Agarwal,
Ms. Sharanjit Kaur Shergil, Mr.
Abhishek Singh and Ms. Anjali
Verma, Advocates and with SI
Shalini, PS Jafrabad and ASI
Devender, PS Jafrabad.

CORAM:

HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

ORDER

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31.07.2024

CRL.M.A. 22453/2024

Exemption allowed, subject to just exceptions.

Application stands disposed of.

W.P.(CRL) 2302/2024

1. Writ Petition under Article 226 of the Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ('BNSS') has been preferred on behalf of the petitioner with the following prayers:

“a) This Hon’ble Court may graciously be pleased to issue directions in the nature of writ of mandamus to the respondent for lodging a criminal case under relevant provisions;”



2. Issue notice. Learned ASC for the State appears on advance notice and accepts notice.
3. Learned counsel for the petitioner submits that petitioner is aggrieved as registration of FIR on his complaint was only under Section 137 (2) Bharatiya Nyaya Sanhita, 2023 ('BNS') which provides for 'kidnapping', and other appropriate Sections have not been invoked by the investigating agency.
4. Learned ASC for the State informs that Section 8 of POCSO Act has also been invoked during the course of investigation and further submits that petitioner/complainant shall be duly informed as and when the chargesheet/final report is filed in accordance with law.
5. In view of invocation of Section 8 of POCSO Act by the Investigating Officer, petition is not pressed by the learned counsel for petitioner. The same is accordingly disposed of. Pending application, if any, also stands disposed of.

ANOOP KUMAR MENDIRATTA, J.

JULY 31, 2024

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