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

+ **W.P.(CRL) 2500/2024**

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.....Petitioner

Through: Mr. Niraj Chaudhry, Advocate with
petitioner in-person.

versus

COMMISSIONER OF POLICE AND ANRRespondents

Through: Mr. Alok Sharma, Advocate for Mr.
Yasir Rauf Ansari, ASC (Crl.) for the
State and SI Reena Kumari, P.S.:
Budh Vihar.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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16.08.2024

CRL.M.A. 24351/2024

Exemption allowed, subject to just exceptions.

The application stands disposed-of.

W.P.(CRL) 2500/2024

By way of the present petition filed under Article 226 of the Constitution of India read with section 482 of the Code of Criminal Procedure 1973, the petitioner seeks a direction to respondent No.1/Commissioner of Police through S.H.O., P.S.: Budh Vihar, Delhi to perform and discharge their duties in accordance with law, premised on their grievance detailed in complaint dated 31.07.2024 addressed to DCP, Rohini, Delhi.

2. Mr. Niraj Chaudhry, learned counsel appearing for the petitioner submits that the petitioner is also seeking a direction to change the Investigating Officer ('I.O.') in the matter, premised on the allegation that the I.O. is not performing her duties.



3. The present petition arises from FIR No. 0174/2024 dated 22.06.2024 registered under sections 376/506/328 of the Indian Penal Code, 1860 at P.S.: Budh Vihar, Delhi, with the essential allegation that the accused/respondent No.2 has committed the alleged offences based on a false promise of marriage.
4. The court is informed that *vide* order dated 24.07.2024, an anticipatory bail petition filed by respondent No.2 has been dismissed by the learned Sessions Court.
5. Mr. Chaudhry submits, that the essential grievance is that despite the anticipatory bail petition of respondent No. 2 having been dismissed, respondent No.2 has not been arrested. Counsel submits that the petitioner is in a position to give inputs to the I.O. to help in tracing and arresting respondent No.2.
6. In the circumstances, this court finds no cogent basis to issue notice in the matter since the contention that the I.O. is not performing her duties, seems to be premature, at the least.
7. The petition is accordingly disposed-of, with a direction to the I.O. to pursue the matter in accordance with law, including on the basis of any inputs that the petitioner may offer.
8. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

AUGUST 16, 2024

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