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

+ **W.P.(CRL) 3073/2024**

LOKESH GOEL

.....Petitioner

Through: **Mr. Ashok Kumar, Advocate**

versus

THE STATE (N.C.T. OF DELHI) & ORS.Respondent

Through: **Ms.Rupali Bandhopadhyia,
ASC with Mr. Abhijeet
Kumar, Advocate for the
State**

**Inspector Sandeep Kumar
Ahlawat, P.S: Burari.**

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

03.10.2024

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1. The present petition is filed under Article 226 of the Constitution of India read with Section 528 of Bhartiya Nagarik Suraksha Sanhita Act, 2023 seeking following prayers:

“(i) Issue an appropriate writ, order or direction in the nature of Mandamus whereby directing the Respondent Nos.1 and 2 to enquire into the acts of the police of P.S.-Burari, Delhi regarding their involvement with the land mafias active in the area of P.S.- Burari, Delhi on the basis of the complaint dated 28.09.2024 (Annexure P-2);

(ii) Issue an appropriate writ, order or direction in the nature of Mandamus whereby directing the respondent No.3 and his subordinate police officers not to harass the petitioner, who is a senior citizen;



*(iii) Issue an appropriate writ, order or direction in the nature of Mandamus whereby directing the respondent No.3 for disposing of the complaint dated 28.09.2024 (Annexure P-2) in accordance with the guidelines contained in the decision rendered by the constitution bench of the Hon'ble Supreme Court of India in the case titled as, "Lalita Kumari Vs. State of Uttar Pradesh & Ors." reported in (2014) 2 SCC 1, which has been reaffirmed vide order dated 08.08.2023 passed by the Hon'ble Supreme Court of India in S.L.P. (Criminal) No.5883/2020 titled as, "Sindhu Janak Nagargoje Vs. The State of Maharashtra & Ors.". which was required to be disposed of within the stipulated period;
Pass any other or further reliefs as this Hon'ble Court deems fit and proper, in the interest of justice."*

2. The learned counsel for the petitioner submits that the petitioner has been unnecessarily harassed by the police officials. He submits that the questions are being asked in regard to the property bearing Khasra No. 122/14, Main Road, Village Kamal Pur Majra, Burari, Delhi-110084. He submits that the property was purchased by the petitioner from one, Smt. Suman Devi who had forged certain documents and impersonated as legal heir of Smt. Sushila Devi who is still alive. He submits that the petitioner has been cheated by Smt. Suman Devi.

3. The learned Additional Standing Counsel for the State at the outset submits that the FIR No.166/2024 has been registered and the property which is claimed by the petitioner to have been purchased is a subject matter of investigation. She submits that the petitioner had been called in furtherance of investigation carried out.

4. Considering that the police has been carrying out investigation



in FIR No.166/2024 and the property which is alleged to be purchased by the petitioner is subject matter of the investigation, no directions can be passed at this stage in regard to the petitioner being called for questioning.

5. In regard to prayer No. 3, the petitioner is at liberty to file an appropriate application before the concerned JMFC seeking registration of FIR.

6. It is made clear that this court has not made any observations on the merits of the case and as and when such an application is filed, the same be decided uninfluenced by any observations made by this Court in the present order.

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

8. Needless to say that the petitioner is at liberty to approach this court in case any grievance remains in future.

AMIT MAHAJAN, J

OCTOBER 3, 2024/PU