



\$~4

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

+ **W.P.(CRL) 1856/2024**

PXXX AND OTHERS

.....Petitioner

Through: Mr. P S Sharma, Adv.

versus

GOVT. OF NCT OF DELHI & OTHERS

.....Respondents

Through: Ms. Nandita Rao, ASC (Crl.) for the
State Mr. Amit Peswani, Advocate
with SI Akash Kumar,
P.S. Bhajanpura.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

%

18.07.2024

CRL.M.A. 18051/2024

1. For the reasons stated in the application, the delay of 95 days' in re-filing the petition stands condoned.
2. Application stands disposed of.

W.P.(CRL) 1856/2024

1. This petition is filed seeking directions to respondent nos.1 to 3 to arrest respondent nos. 4 to 10 and other accused persons against whom FIR was registered on the complaint of petitioners.
2. It is stated that on 22nd April 2023, accused came together and committed the alleged offences subsequent to which an FIR was registered on 22nd April 2023 being FIR No.367/2023 under Sections 354/323/341/354/506/509/34 IPC.



3. The crux of the complaint is relating to complainant and accused are adjoining neighbours living on different floors of the same building. Status report is handed up by the ASC in the Court today. On instructions of the IO, it is stated that attempts were made on many dates from July 2023 onwards to contact the victim, however she refused to come. Later, a notice under Section 160 Cr.P.C. was served on the mother-in-law of the victim who also sought further time. Finally on 6th September 2023, victim came to the police station and stated that due to her illness, she could not give her statement. On 28th September 2023, statement of victim under Section 164 Cr.P.C. was recorded and on 20th October 2023 offences under Sections 376/392/354 A/354B /452/120B IPC were added.
4. Investigation is proceeding ahead and, in this scenario, it is upto the investigating agency to take steps as may be necessary in the facts and circumstances of the case.
5. In event of any threat being perceived by petitioner and or her family, they are at liberty to contact the Beat Constable and SHO of PS Bhajanpura whose numbers will be provided by the ASC for the State.
6. With these observations and directions, petition stands disposed of along with pending applications, if any.
7. Order be uploaded on the website of this Court.

ANISH DAYAL, J

JULY 18, 2024/sm