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

+ CRL.M.C. 9260/2024 & CRL.M.A. 35509/2024

RAM KUMAR CHATURVEDIPetitioner

Through: Mr. Shiv Chopra, Ms. Surbhi Arora
and Mr. Siddharth Arora

versus

STATE NCT OF DELHI & ORS.Respondents

Through: Mr. Digam Singh Dagar, APP for
State

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

27.11.2024

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1. This petition has been filed for setting aside order dated 05th February 2024 passed by the ASJ (Electricity), North West District, Rohini Courts, Delhi in Criminal Revision No. 320/2023. By the said order, Revision Petition challenging order dated 26th April 2024, passed by the Metropolitan Magistrate-02, North-West District, Rohini Courts, Delhi was dismissed.
2. The issue arose on an application under Section 200 Cr.P.C. by petitioner/complainant against respondent nos.2 and 3, the accused. The brother of the complainant was suffering from mental instability and *vide* order dated 28th March 1994, passed by the District Judge, Tis Hazari Court, Delhi under the Indian Lunacy Act, 1912, the complainant was appointed as the manager and custodian of the person and property of his brother at Pitampura, Delhi. Respondent no.2 and 3 had been kept by complainant for taking care of his brother and complainant also used to visit his brother occasionally.
3. On these visits, he was told by respondent nos. 2 and 3 that they were



taking care of his brother, however, he came to know on 6th March 2018 when respondent no.2 called him stating that his brother has expired and was being taken to hospital. The *post mortem* report stated that the death was likely due to chronic starvation. On this basis, the complaint was filed.

4. The MM dismissed the complaint on the basis of facts and circumstances before the Court. It was observed that efforts, even by the petitioner/complainant, to feed his brother were not successful while care was being taken even at the hospital by respondent no.2 in particular, of daily needs of his brother. It was, therefore, observed that it was not unthinkable that death was not due to '*forced starvation*' but due to natural causes since brother of the petitioner/complainant was mentally unstable.

5. Revision petition against this order was dismissed by the impugned order also having traversed these facts and circumstances. This Court has also perused the impugned orders as also the documents on record and heard the counsel for petitioner. This Court does not find any reason to interfere with the impugned order considering that the same does not suffer from any impropriety, illegality, or infirmity.

6. The petition is, accordingly, dismissed.

7. Pending application is disposed of as infructuous.

8. Order be uploaded on the website of this Court.

ANISH DAYAL, J

NOVEMBER 27, 2024/sm/sc