



\$~77

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 3752/2024**

XYZ

.....Petitioner

Through: Mr. Umesh Sharma, Mr. Munish Kr.
Gaur, Mr. Dinesh Kumar and Mr.
Ritesh Kumar Kaushik, Advocates.

versus

STATE GOVT. OF NCT OF DELHI

.....Respondent

Through: Mr. Amol Sinha, ASC (Crl.) with Mr.
Kshitiz Garg, Mr. Ashvini Kumar,
Mr. Rahul Kochar and Ms. Chavi
Lazarus, Advocates for State.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

%

02.12.2024

CRL. M.A. 36212/2024 (Exemption)

1. Allowed, subject to all just exceptions.
2. The application is disposed of.

W.P.(CRL) 3752/2024

1. By way of the present petition, the petitioner seeks the following reliefs:

“A. Writ, Order or Direction in the nature of MANDAMUS, or any other writ, order or direction in favour of the Petitioner thereby directing the police to provide protection to the petitioner and ensure her safeguard of live and limb.

B. Writ, Order or Direction in the nature of MANDAMUS, or any other writ, order or direction in favour of the Petitioner thereby directing the police to provide protection to the petitioner and ensure her safeguard of live and limb...”

2. At the outset, learned ASC for the State objects to the entertainability of prayer ‘A’, however, on instructions, submits that the same has become



infructuous inasmuch as FIR No. 528/2024 under Sections 376/377/509 IPC at P.S. Hauz Khas has been registered on 27.11.2024. Insofar as prayer 'B' is concerned, he submits on further instructions that the mobile number of the concerned SHO, IO as well as beat constable would be given and that the beat officer would also be instructed to maintain vigil at the petitioner's house.

3. The petitioner is also aggrieved not only on the point of delay of registration of FIR but also with respect to inaction on part of the police officers in not proceeding further despite the fact that both the complainant and the accused were available at P.S. Saket. In this context, learned counsel for the petitioner states that the initial complaint was given on 25.11.2024 (complaint incorrectly mentions the date as 27.11.2024) at P.S. Saket. A 112 call was also made whereafter the complaint was transferred to P.S. Hauz Khas, where the MLC could only be conducted at 07:00 PM on 26.11.2024 and FIR came to be registered in the intervening night of 26.11.2024 and 27.11.2024 at 12:30 AM. It is further stated that insofar as inaction of the police official of P.S. Saket is concerned, an email has also been sent addressed to the higher officers on 26.11.2024 at 09:20 PM.

4. Learned ASC for State submits that the relevant CCTV footage of 26.11.2024 and 27.11.2024 of P.S. Saket would be preserved.

5. The petition is disposed of with directions that the concerned DCP shall look into the complaint dated 26.11.2024 sent through email and also the other allegations of delay in registration of the aforesaid FIR.

MANOJ KUMAR OHRI, J

DECEMBER 02, 2024/ssc