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

+ **W.P.(CRL) 3827/2024**

BERTRAM DEVADAS & ORS.

.....Petitioners

Through: Mr. Tanvir Ahmed Mir,
Senior Advocate with Mr.
Puneet Jaiswal, Mr.
Bhupinder Sharma, Ms.
Yashodhara Singh and Mr.
Sandeep Sehrawat,
Advocates.

versus

STATE GOVT. OF NCT OF DELHI

AND ANR.

.....Respondents

Through: Mr. Sanjeev Bhandari,
ASC for the State with
Ms. Charu Sharma, Mr.
Arjit Sharma, Mr. Nikunj
Bindal, Advocates and
Insp. Sanjay Singh, PS
EOW, Mandir Marg.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

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06.12.2024

CRL.M.A. 36761/2024 (Exemption)

1. Exemption allowed, subject to all just exceptions.
2. The application stands disposed of.

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3. The present petition is filed, *inter alia*, praying as under :

"1. Issue a writ in the nature of Mandamus directing the Respondent No. 1 to provide case diary for the perusal of this Hon'ble Court as it seems that Investigation has not been done so far in fair and transparent manner.

And

2. Issue a writ in the nature of Mandamus directing the Respondent No. 1 not to harass the Petitioners by

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calling multiple times, when all the documentary records are already with them.

And

3. Issue a writ in the nature of Mandamus directing the Respondent No. 1 to Allow the Petitioners to join the investigation through Video Conferencing mode or in the alternative questioners may be provided to them so that they can give their statements in writing.”

4. The petitioners are essentially aggrieved that they have been harassed under the garb of investigation.

5. The learned senior counsel for the petitioners submits that the petitioners have joined the investigation on multiple occasions. He submits that the petitioners appeared on 16 occasions before the Delhi Police and all relevant documents were provided as required.

6. He submits that the petitioners have now been again called for investigation and multiple notices have been sent to them by the police. He submits that petitioner no.1 is a senior citizen and petitioner no.3 is a practicing advocate and is resident of Goa and requiring them to join investigation multiple times is undue harassment.

7. The learned Additional Standing Counsel for the State submits that the investigation has been recently transferred to EOW in the month of May, 2024. He assures that the petitioners will not be unduly called for investigation and will only be called during the office hours.

8. He further submits that the advance notices will be given to the petitioner for recording of their statement and if any of the petitioner is in difficulty on that date, the request would be considered. He further submits that the investigation would be concluded expeditiously without any delay and the charge sheet will be filed in near future.

9. Considering the above, this Court does not consider it
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apposite to keep the present petition pending and pass any order at this stage.

10. Needless to say, the petitioners are at liberty to file an appropriate proceeding in case any grievance remains in future.

11. The petition stands disposed of in the aforesaid terms.

AMIT MAHAJAN, J

DECEMBER 6, 2024

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