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

+ **W.P.(CRL) 3940/2024 CRL.M.A. 38041/2024**

KISHAN KUMAR

.....Petitioner

Through: Mr. Rajesh Kumar Tarun, Ms. Aditi
Shivadhatri, Mr. R. R. Bharti,
Advocates.

versus

STATE GOVT. OF NCT OF DELHI AND

.....Respondent

Through: Mr. Amol Sinha, ASC for State along
with SI S. K. Jha, PS: Burari.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

17.12.2024

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1. This petition has been filed seeking directions for decision to be taken on the representation made under the Witness Protection Scheme for securing the petitioner as a witness in FIR No. RC0032024A0041, registered at P.S. CBI under Section 61(2) of the BNS 2023 and Section 7 of the Prevention of Corruption Act. Basis an allegation that a Police Officer had demanded illegal gratification of Rs.1 crore from petitioner, the CBI arrested the said police personnel and the said FIR was registered.
2. Petitioner claims that the accused, in this case, is on bail now, and petitioner is being threatened and false implications have been made against him including of registration of FIR No.166/2024 at P.S. Burari.
3. While the ASC for State, states that the quashing petition filed by the



petitioner in an FIR No.166/2024 before this Court was withdrawn by the petitioner and, therefore, this witness protection aspect may be just a ruse to protect himself from further proceedings, counsel for petitioner states that the decision may be taken irrespective under the representation. He relies on the order dated 2nd June 2021 passed by a Co-ordinate Bench of this Court in ***Amit Kumar v. State***, W.P.(Crl.)1067/2021.

4. Without going into the controversy, the Competent Authority is directed to assess the representation under Witness Protections Scheme, 2018 within two weeks from today and provide the decision to the petitioner within one week thereafter.

5. There is an objection taken by the ASC for State on the fact that the representation under the Witness Protections Scheme 2018, only a typed copy has been filed without signature, before this Court.

6. Counsel for petitioner states that an e-mail has been sent on the official e-mail ID of Commissioner of Police. Irrespective, the counsel for petitioner states that they will file a formal copy before the Competent Authority.

7. It is made clear that this Court has not assessed the merits of the petitioner's case.

8. Petition is disposed of in the above directions.

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

ANISH DAYAL, J

DECEMBER 17, 2024/ak/kp