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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CONT.CAS(C) 217/2025**
SAHNAZ & ANR.

.....Petitioner

Through: Ms. Aanchal Bumb, Mr. Robin Raju,
Mr. Alpha Dayal and Mr. Vidit
Aggarwal, Advocates.

versus

SHO KHYALA AND ANR

.....Respondent

Through: Mr. Mukul Singh, CGSC with Mr.
Aryan Dhaka, Advocate with Mr.
Subhash, ASI.
Mr. Lalitaksh Joshi, Advocate for
GNCTD.

CORAM:
HON'BLE MR. JUSTICE MANOJ JAIN

ORDER
12.02.2025

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CM APPL. 8382/2025 (Exemption)

Exemption allowed, subject to all just exceptions.

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1. Petitioner seeks initiation of contempt proceedings against respondents for wilful disobedience of the specific directions contained in judgment dated 20.09.2019 given by learned Division Bench of this Court in W.P.(CRL) 2069/2005.
2. Learned counsel for the petitioner represents mother of a rescued child and submits that as per the directions contained in the above said orders, the Police Authorities are under obligation to file a chargesheet within a period of

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45 days from date of the rescue of the child.

3. It is submitted that the FIR in the present case was registered on 11.05.2023 and the child was rescued two days earlier. Despite the fact that considerable period has already elapsed, the police is not taking the above said directions in the right earnest.

4. She also submits that on various previous occasions, she had moved applications before the concerned Magisterial Court wherein the status reports were filed from time to time and it was also undertaken that the investigation shall be carried out on day-to-day basis. But despite above, there is no further headway in the matter.

5. Learned counsel for the respondent appears on advance notice and submits that there is no intention to disobey and disregard the above said specific directions.

6. He submits that on account of certain complexities of the matter, the chargesheet could not be laid before the concerned Magisterial Court. It is submitted that the investigation is already at the last stage and the charge sheet shall be submitted before the Competent Court on or before 01.03.2025.

7. The concerned I.O. i.e. ASI Subhash is present and when asked, he also undertook to file the chargesheet on or before 01.03.2025.

8. Such statement is taken on record.

9. Needless to say, the concerned SHO and ACP shall also ensure that there is requisite compliance of the above and chargesheet is filed by 01.03.2025.

10. In view of the above, learned counsel for the petitioner, at the moment, does not press her contempt petition.

11. She, however, seeks liberty to revive the same by filing appropriate



application, in case, the chargesheet is not submitted by 01.03.2025.

12. The petition is, accordingly, disposed of as not pressed.

13. Liberty, as prayed, is granted.

14. This Court also makes it clear that since the matter has already delayed considerably, if the charge sheet is not filed by the above said date, and if on the basis of the application moved by the petitioner, the present contempt petition is revived, it will be construed as a case of *aggravated contempt* and besides the I.O. the concerned SHO and ACP shall also be deemed to be liable for committing contempt of the Court.

15. Learned counsel for the respondent shall transmit the copy of this order to the concerned SHO and ACP for doing the needful.

16. A copy of this order be also sent for information to the concerned learned Magistrate by the Registry.

MANOJ JAIN, J

FEBRUARY 12, 2025/ss