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

+ **W.P.(CRL) 493/2025**

NEELAM RAWAT

.....Petitioner

Through: **Mr. Ranjeet Singh, Advocate.**

versus

THE STATE OF NCT

.....Respondent

Through: **Ms. Rupali Bandhopadhy, ASC for
the State with Mr. Abhijeet Kumar
and Mr. Anurag Arora, Advocates.
SI Mukesh Yadav, P.S.: Hari Nagar.**

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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12.02.2025

CRL.M.A. 4397/2025 & CRL.M.A. 4398/2025

Exemptions granted, subject to just exceptions.

The applications stand disposed of.

W.P.(CRL) 493/2025

By way of the present petition filed under Articles 226/227 of the Constitution of India read with section 528 of the Bharatiya Nagarik Suraksha Sanhita 2023, the petitioner seeks a direction to the S.H.O., P.S.: Hari Nagar to register an FIR in relation to the death of her husband, Sandeep Singh Rawat.

2. Mr. Ranjeet Singh, learned counsel appearing for the petitioners submits, that despite a complaint dated 16.01.2024 having been made to the respondent as well as to higher officials of the Delhi Police, they have failed to register an FIR, though the complaint clearly



discloses that the petitioner's husband died an unnatural death; and despite the complainant having stated the names of certain persons, who she suspects, may have been concerned with that death.

3. Mr. Singh further submits, that thereafter the petitioner filed an application under section 156(3) of the Code of Criminal Procedure 1973 ('Cr.P.C.') before the learned Magistrate, which application has however remained pending in that court since 19/22.02.2024; and is yet to be decided.
4. Counsel points-out that the Investigating Officer ('I.O.') had even filed a status report dated 30.05.2024 in the said proceedings but the matter is still at the same stage.
5. It is pointed-out that the petitioner's husband was residing with her in Delhi within the jurisdiction of P.S.: Aman Vihar; and that he was first brought to the DDU Hospital and subsequently died at the Safdarjung Hospital in New Delhi.
6. Mr. Singh draws attention to the mandate of the Supreme Court in ***Lalita Kumari vs. Government of Uttar Pradesh & Ors.***¹
7. Issue notice.
8. Ms. Rupali Bandhopadhyaya, learned ASC (Criminal) appears on behalf of the State on advance copy; accepts notice; and after making some submissions, fairly states that the jurisdictional police station, namely P.S.: Aman Vihar, will register an FIR in the matter; and will proceed with the investigation, in accordance with law.

¹ (2014) 2 SCC 1



9. Learned ASC however submits, that there may be some complications since the petitioner was initially found in an injured condition within the jurisdiction of P.S.: Bhiwadi in Rajasthan.
10. Be that as it may, as fairly submitted by the learned ASC, let an FIR under the appropriate provisions be registered within 24 hours and be investigated, in accordance with law.
11. The petition stands disposed-of in the above terms.
12. Pending applications, if any, also stand disposed-of.
13. In view of the order passed above, the application pending under section 156(3) of the Cr.P.C. in case bearing Ct. Cases No.416/2024 before the learned Judicial Magistrate First Class, Tis Hazari Courts, Delhi stands disposed-of.
14. A copy of this order be given *dasti* under signatures of the Court Master.

ANUP JAIRAM BHAMBHANI, J

FEBRUARY 12, 2025

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