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

+ **W.P.(CRL) 1070/2023**

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.....Petitioner

Through: None.

versus

STATE NCT OF DELHI & ANR.

.....Respondents

Through: Ms. Rupali Bandhopadhyaya, ASC with
Mr. Abhijeet Kumar and Mr. Anurag
Arora, Advocates.
SI Akram, PS: Patel Nagar.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

29.01.2025

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1. Through the present petition, the Petitioner, seeks following prayers:

- a) *Issue a writ mandamus of direction of the order of like nature, thereby directing Respondents 2 to transfer the Investigation in zero FIR 0001/23 PS Patel Nagar dated 09.04.2023 to Tilak Nagar Police Station, New Delhi.*
- b) *Issue a writ of mandamus of direction of the order of like nature, thereby directing Respondent No.2 not to transfer the zero FIR 0001/23 PS Patel Nagar dated 09.04.2023 to Ambala, Haryana; and*
- c) *Issue a writ mandamus of direction of the order of like nature, thereby calling the explanation from Respondents 2 for nonregistration of the zero FIR 000L123 PS Patel Nagar dated 09.04.2023 under Sections 417/354 B/342/506/323/352/376/377/120-B IPC apart from the sections in which the FIR has been registered;*
- d) *Direct the SHO PS Tilak Nagar to ensure prompt, fair and effective investigation to ensure the fair and effective trial in zero FIR 0001/23 PS Patel Nagar dated 09.04.2023."*



2. While issuing notice, the Court took note of the statement made by Additional Standing Counsel that the necessary order for transferring the investigation of zero FIR no. 0001/2023 PS: Patel Nagar to Ambala had already been issued. The Court accordingly directed the State to file a status report. In terms thereof, status report has been filed, wherein it is stated as follows:

*“The complainant further mentioned on her complaint that she doesn't want to get herself Medically Examined. Then the complainant has been called and her counselling was got done by DCW counsellor Hemlata. Thereafter Zero FIR 001/2023 U/s 354/354A IPC has been registered at PS Patel Nagar against Father-in-law Mr. Sudarshan Kohli who has touched the victim inappropriately on 23.04.2021 at her neck and upper private part of the body while she was at matrimonial home at H.No.444, Sector-7, Ambala City, Haryana. After being Counselling properly. As per the Contents of the complaint the place of occurrence of offence does not fall in the Jurisdiction of Delhi and it pertains to fall within the of PS Sector -9 Ambala city, Haryana . **After registration of this Zero FIR, it has been transferred to PS Sector-9 Ambala city, Haryana through DCP concerned through Proper channel for further necessary action on 15/04/2023 and there the matter is pending investigation.**”*

(Emphasis Supplied)

3. Counsel for the state submits that in fact as per his information, pursuant to the transfer, an FIR bearing no. 152/2023 was registered on 14th July, 2023 at PS: Sector 9 Ambala City, Haryana and in the said proceedings, chargesheet has been filed on 25th October, 2023 where the mother-in-law of Complainant has also been impleaded as one of the accused.

4. In light of the above developments, prayers sought in the present petition are rendered infructuous and accordingly, the present petition is disposed of.

5. The Court has not commented on the merits of the case. All rights and



contentions of parties are left open.

JANUARY 29, 2025

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SANJEEV NARULA, J