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

+ **W.P.(CRL) 1155/2025**

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.....Petitioner

Through: Mr. Ajay Pratap Singh, Mr. Rajbir Singh Bal and Ms. Sanstuti Mishra, Advocates.

versus

THE STATE NCT OF DELHI THROUGH SHO & ORS.

.....Respondents

Through: Ms. Rupali Bandhopadhyaya, ASC for State with Mr. Abhijeet Kumar, Advocate with W/SI Usha, P.S.Mehrauli.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER
21.04.2025

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1. Writ Petition under Article 226 of the Constitution of India read with Section 528 BNSS has been filed on behalf of the Petitioner for seeking directions for registration of FIR and transfer of the Investigating Officer in FIR No.930/2024 under Sections 115(2)/126(2)/351(2)/3(5) BNSS.
2. It is submitted in the Petition that the Petitioner, a widow who was residing with her daughter and son at the given premises, was subjected to cruelty and violence which resulted not only in physical injuries and trauma but also violated her dignity, outraged her modesty and fundamental rights of a woman.
3. On 26.11.2024, at around 3 PM Petitioner received a distress



call from a family friend residing in Kashmir who informed her that 5 individuals including Mr. Monu Sejwal and others, have unlawfully broken the locks of her house in Paryavaran Complex. She told her to visit the house and secure it on her behalf. The Petitioner acting in good faith and in response to his request, went to the location and secured the house by installing a new lock. However, on her way back the accused restrained her, verbally abused her by using obscene and filthy language and violently dragged her towards the Basement parking area of E-46, Prayavaran Complex.

4. The primary accused, Mr. Monu Sejwal also physically attacked and threatened her. He subjected her to gruesome sexual assault by forcefully groping her and attempting to disrobe her and pressing her breast and private parts. In the course of this horrific attack, Petitioner's pant was torn and she suffered immense pain and suffering both physically and emotionally. She tried to escape and called her son for help.

5. The accused called five more individuals namely Pawan Sejwal, Rajkumar Verma and three unidentified men who further joined the brutal attack. She and her son both were physically assaulted and injuries were caused not only by sticks but also with sharp scissor like object.

6. The PCR arrived and the police intervened and the Petitioner and her son as well as the accused persons, were taken to P.S.Mehrauli. The Petitioner and her son were immediately sent for medical attention. She went to Safdarjung Hospital where their MLCs were prepared and the injuries suffered by them were recorded.



7. They came back home after midnight. However, despite the gravity of the incident, the Police failed to register the FIR. Petitioner filed a formal Complaint on 27.11.2024 *vide* DD No.84A at P.S.Mehrauli, but no FIR was registered. The Investigating Officer, ASI Ramakant not only refused to seize crucial evidence including the blood stained clothes and torn garments, but also deliberately ignored CCTV Footage which captured the entire attack.

8. Petitioner gave a formal Representation to Commissioner of Police on 04.12.2024, but, no action has been taken. Hence, the Petition has been filed for directing Respondent No.2 to take appropriate action against Respondent Nos.4 & 5 for their failure to discharge their duty and to also direct registration of FIR and investigations to be carried out by an Agency independent of P.S.Mehrauli.

9. A physical Status Report has been filed today in the Court. The same be taken on record.

10. It is submitted in the Status Report that the FIR No.335/2025 dated 13.04.2025 under Sections 115(2)/126(2)/74/76/79 BNSS has been registered on the complaint of the Petitioner. The cross FIR No.930/2024 dated 28.11.2024 has already been registered against the Petitioner and her son as well as one Tanik Basist. The investigations have been commenced, but the Petitioner has not joined the investigations.

11. **Submissions heard and record perused.**

12. Essentially the prayer of the Petitioner was for registration of FIR on her Complaint in regard to the incident dated 26.11.2024 for



which an FIR No.930/2024 was registered against her, her son and another person.

13. As per the Status Report, the FIR on the complaint of Petitioner already stands registered. No further directions are merited. Whatever be the other grievances, the Petitioner is at liberty to move an appropriate Application before the learned M.M.

14. The Petition is hereby disposed of.

NEENA BANSAL KRISHNA, J

APRIL 21, 2025

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