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

+ **W.P.(CRL) 1652/2023**

IRAM JAHAN

.....Petitioner

Through: **Ms. Deeksha Dwivedi, Advocate.**

versus

STATE (NCT OF DELHI) & ORS.

.....Respondents

Through: **Mr. Amol Sinha, ASC (Crl.) for State with Mr. Kshitiz Garg, Mr. Ashvini Kumar, Mr. Rahul Kochar, Ms. Chavi Lazarus and Ms. Sanskriti Nimbekar, Advocates with Ms. Neera Singh, Insp., DIU/NE, Seelampur.**

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

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03.02.2025

1. The Petitioner is the Complainant in FIR No. 574/2021 dated 30th October, 2021 registered at P.S. Jafrabad for the offences under Sections 365/302 of the Indian Penal Code, 1860,¹ for the alleged murder of her husband. She has filed the instant petition contending that the investigation, being conducted by the investigating agency, is ineffective, biased, and unfair.

2. In the above background, she seeks the following prayers:

“1. Issue a Writ/Order/Direction in the nature of Mandamus or any other Writ directing further Investigation/Transfer of Investigation to the Central Bureau of Investigation or any other Independent Agency; and

2. Issue a Writ/Order/Direction in the nature of Mandamus or any other Writ directing the investigating agency to complete the investigation in a time bound manner; and

3. Issue a Writ/Order/Direction in the nature of Mandamus or any other Writ calling for written response from the Investigating Agency for not

¹ “IPC”



conducting proper investigation; and

4. Issue a Writ/Order/Direction in the nature of Mandamus or any other Writ directing the Delhi State Legal Service Authorities to grant compensation to the Petitioner as per the Delhi Victim Compensation Scheme in a time bound manner; and

5. Issue a Writ/Order/Direction in the nature of Mandamus or any other Writ directing Nagam Nigam, Gaziabad to issue the death certificate of Petitioner's husband in a time bound manner; and

6. Issue any other order or direction or relief in the interest justice as per the facts and circumstances of the present petition, which the hon'ble court deems fit."

3. On 31st May, 2023, this Court took note of the fact that the FIR was registered in 2021, yet no arrest had been made, nor had a chargesheet been filed. Consequently, the Court directed the concerned DCP to file an up-to-date status report.

4. Subsequently, on 8th November, 2024, ASC for the State informed the Court that the investigation would be concluded within four weeks, and that an appropriate report under Section 173 of the Code of Criminal Procedure, 1973,² would be filed.

5. In light of the above, a status report has been filed, indicating that the investigation in the present case was transferred to the District Investigation Unit, North East District, Delhi. The said unit carried out the investigation and submitted a final cum closure report before the concerned Court vide RC No. 122/21/25, dated 27th January, 2025. The said closure report shall be taken up for consideration by the concerned Court on 22nd March, 2025.

6. A copy of the closure report has been served on the counsel for the Petitioner, who states that she is currently not in touch with the Petitioner.

7. In view of the fact that a final cum closure report under Section 173 CrPC has now been filed, the Court finds that the continuation of the present proceedings may no longer be warranted. The Petitioner shall be at liberty to file a protest petition before the Trial Court, should she wish to challenge the

² "CrPC"



findings of the closure report or highlight any deficiencies in the investigation. All rights and contentions of the Petitioner are reserved. In the event that the Petitioner's grievances remain unaddressed, she shall be at liberty to pursue appropriate legal remedies in accordance with law.

8. As regards prayer (4), pertaining to grant of compensation under the Delhi Victim Compensation Scheme, it is noted that this Court, on 20th July, 2023, had directed the Delhi State Legal Services Authority³ to award an additional interim compensation of INR 1,00,000/- to the Petitioner. In compliance with the said direction, the DSLSA has duly disbursed the stipulated interim compensation amount to the Petitioner, and a report to this effect has also been filed. It is directed that any additional compensation to be awarded to the Petitioner shall be in accordance with the provisions of the Delhi Victim Compensation Scheme, 2018.

9. With regard to Prayer (5), concerning the issuance of the death certificate of the Petitioner's late husband, it is directed that if the certificate has not been issued as yet, the concerned authorities shall, upon the completion of necessary formalities by the Petitioner, expeditiously issue the death certificate.

10. With the above directions, the petition is disposed of.

SANJEEV NARULA, J

FEBRUARY 3, 2025

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³ "DSLSA"