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

+ **W.P.(CRL) 1347/2025**

MAMTA

.....Petitioner

Through: Mr. Niraj Choudhary and Ms. Nisha,
Advocates.

versus

THE STATE (GNCT OF DELHI)

.....Respondent

Through: Mr. Rahul Tyagi, ASC (Crl.) with Mr.
Mathew M. Philip, Mr. Sangeet Sibou
and Mr. Aniket Kumar Singh,
Advocates for the State with SI
Prithvi, PS Patel Nagar.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **28.04.2025**

CRL.M.A. 12647/2025 (Exemption)

1. Exemption allowed, subject to all just exceptions.
2. The Application stands disposed of.

W.P.(CRL) 1347/2025

3. Writ Petition under Article 226 of the Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (*old Section 482 of the Code of Criminal Procedure, 1973*) has been filed on behalf of the Petitioner, Mamta for directions to the Respondent/State, to investigate the Complaint dated 01.03.2025, filed by the Petitioner and also for the protection.

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4. On advance Notice, learned APP for the State has appeared.
5. Briefly stated, the Petitioner became friendly with Mr. Rahul Pathak on 09.06.2019 and since then, they have been in a relationship. According to the Petitioner, she was exploited by the Respondent, on false promise of marriage. She in fact, conceived four times and was compelled to abort the child. Moreover, from time to time, the Respondent has transferred to Rs.2,50,000/- from the account of the Petitioner. He also had illicit relationship with his sister-in-law and with many other girls from whom he has taken money. He has taken divorce from his first wife for scheduled on 01.02.2025 in Bihar. He had assured that he would return on 02.02.2025 but thereafter, he has failed to respond to the phone calls of the Petitioner.
6. A Complaint dated 01.03.2025 has been filed before the Police and the National Human Rights Commission (NHRC) and in the Police Force but no action has been taken. Therefore, it is sought that the directions be issued for investigations on his Complaint and protection be provided to the Petitioner.
7. It is further asserted that on 22.03.2025 and 23.03.2025, the threats are being extended by Mr. Rahul Pathak, to withdraw her Complaint.
- 8. Submissions heard and the record perused.**
9. Essentially, the relief sought by the Petitioner, by way of this Writ Petition, is for the registration of an FIR on a Complaint.
10. The present Writ is not the appropriate remedy and the Petitioner is at liberty to approach the Court in case, the Police has failed to register an FIR on her Complaint. Furthermore, there is no ground made out for grant of police protection in the given circumstances. There is no merit in the Petition, which is hereby dismissed.

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11. The Petition is disposed of accordingly.

NEENA BANSAL KRISHNA, J

APRIL 28, 2025/RS

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