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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 2410/2023, CRL.M.A. 22698/2023, CRL.M.A.**
28508/2023, CRL.M.A. 30456/2023
X

.....Petitioner

Through: Mr. Rishabh Thakur and Mr. Yash
Gautam, Advocates.

versus

THE STATE GOVT OF NCT OF DELHIRespondent
Through: Ms. Rupali Bandhopadhyaya, ASC for
State with Mr. Abhijeet Kumar,
Advocate for State.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

15.04.2025

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[This case is being taken up today as 14th April, 2025 was declared a holiday on account of Ambedkar Jayanti vide Notification dated 7th April, 2025]

1. The present writ petition seeks the following prayers:

- "A. Transfer the investigation against Accused to an independent agency such as Crime Branch;*
B. Take strict disciplinary action against the IO, SHO and other senior Officials for dereliction of duty.
C. Issue a continuing Mandamus and direct the Respondents to conclude the said inquiry/ investigation against the Accused and his family in a time bound and expeditious manner preferably within one month;
D. Direct the Respondent to take action against the Accused and his family in accordance with law
E. Direct the new Agency to consider all the material provided by the Petitioner and conduct a proper investigation thereon
F. Issue a continuing Mandamus in order to monitor the action/inquiry/investigation against Accused to take it to its logical conclusion
G. Initiate strict action against the concerned IO Ria Jakhar in accordance with law.

OR IN THE ALTERNATIVE



H. Direct the DCP, South District, to appoint an independent Investigating Officer”

2. Mr. Abhijeet Kumar, counsel for the State, has apprised the Court that the investigation in FIR No. 238/2023, P.S. Hauz Khas has since been completed, and the chargesheet has been filed on 21st March, 2024. Thereafter, the supplementary chargesheet was filed on 5th September, 2024. The matter is now listed for arguments on charge on 16th April, 2025. He further places reliance on order dated 21st November, 2023, which reads as follows:

- “1. Learned counsel for the petitioner seeks sometime for going through the Status Report filed by the respondent State on 15.10.2023.*
- 2. Learned ASC for the State, upon instructions from the IO, submits that de hors the proceedings in the present FIR No. 238/2023, without prejudice or going into the merits of the matter, the earlier Investigating Officer, SI Ria Jakhar has since been substituted by SI Anju Meena in September, 2023.*
- 3. Accordingly, re-notify on 05.03.2024.”*

3. In light of the aforementioned development, in the opinion of the Court, the relief sought in the present matter has been rendered infructuous as the investigation stands complete and the chargesheets have already been filed. Moreover, as noted in the order dated 21st November, 2023, the State without prejudice substituted the Investigating Officer.

4. In light of the foregoing, no further directions are required to be passed in the present petition and accordingly, the same is disposed of along with pending application(s).

SANJEEV NARULA, J

APRIL 15, 2025/nk