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

+ W.P.(CRL) 2651/2025

SXXXX DXXXXXX

.....Petitioner

Through: Mr. Jai Subhash Thakur, Advocate

versus

THE STATE OF NCT OF DELHI AND ANRRespondents

Through: Mr.Rahul Tyagi, ASC (Crl.) with SI
Sandeep Dalal, PS Punjabi Bagh

CORAM:

HON'BLE MR. JUSTICE ARUN MONGA

ORDER

25.08.2025

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1. Dissatisfied with the progress and manner of the investigation, the petitioner/complainant seeks issuance of directions to the respondents to conduct a fair inquiry/investigation in respect to complaint dated 02.09.2024 made to the SHO, Police Station Punjabi Bagh.
2. Heard.
3. Learned counsel for the petitioner argues that the investigating agency is not proceeding in a fair and just manner and is intentionally stalling the investigation.
4. Learned Public Prosecutor appears on service of advance copy of the petition and accepts notice on behalf of the State. He opposes the petition arguing that once the complaint is made, law will take its own course. No evidence so far has come-forth to register the FIR.
5. Be that as it may, in my opinion, the petitioner ought to have availed



of other available legal remedies for redressal of her grievance before approaching this Court.

6. Ordinarily, in cases of grievances arising from unfair or improper investigation of a complaint, the aggrieved person can seek recourse by approaching a superior police officer as per Section 30 Bharatiya Nagarik Suraksha Sanhita, 2023. If the grievance remains unaddressed, one can then approach a Magistrate of competent jurisdiction under Section 175(3) Bharatiya Nagarik Suraksha Sanhita, 2023, who can seek submission of a report by the police. Reference may also be had to Apex Court judgment in ***Sakiri Vasu versus State of U.P. and Others, 2008 2 SCC 409.***

7. In the premise, instant petition is disposed of along with pending application(s), if any.

8. Petitioner is at liberty to take recourse to the remedy as may be advisable in accordance with law.

ARUN MONGA, J

AUGUST 25, 2025/SV