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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(CRL) 2851/2025

URMILA DEVI

.....Petitioner

Through: Mr. Abhishek Kumar,
Adv.

versus

THE STATE OF NCT OF DELHI

& ANR.

.....Respondents

Through: Mr. Amol Sinha, ASC for
the State with Mr. Ashvini
Kumar, Mr. Kshitiz Garg,
Mr. Abhishek Mahajan,
Ms. Sanskriti Nimbekar,
Mr. Nitish Dhavan and
Mr. Vijay Misra, Adv.
with SI Sonu Bhati, W/SI
Sonika and HC Dinesh
Kumar, PS Pandav Nagar.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

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08.09.2025

1. By the present petition, the petitioner seeks following prayers :

- (a) *Issue a writ of mandamus or any other appropriate writ, order, or direction, directing Respondent Nos. 1 and 2 to take immediate steps for registration of a fresh or amended First Information Report in terms of the written complaint submitted by the Petitioner on 07.07.2025, reflecting all material facts and offences as disclosed therein under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, as amended, and the Bharatiya Nyaya Sanhita, 2023;*
- (b) *Direct the transfer of investigation in FIR No. 0299/2025 to a senior police officer not below the rank of ACP/DCP/ DSP ;*
- (c) *Direct initiation of disciplinary and penal action under Section 4 of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, as amended, against the erring police officials;*



(d) *Pass such other or further orders as this Hon'ble Court may deem just and proper.*

2. The petitioner is essentially aggrieved that FIR No. 299/2025 has been registered at Police Station Pandav Nagar without invoking appropriate Sections.

3. It is the claim of the petitioner that allegations were made in regard to offences under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 ('SC & ST Act'), however, the FIR was registered only under Sections 115(2)/126/3(5) of the Bharatiya Nyaya Sanhita, 2023.

4. It is also the petitioner's grievance that since the allegations were made in regard to the offences under SC & ST Act, the investigation has to be carried out by an officer not below the rank of ACP, however, if the FIR is allowed to continue as registered by the Police, the investigation will be carried out by an officer lower in rank.

5. The learned counsel for the petitioner, however, at the outset, seeks liberty to withdraw the present petition and file an appropriate application before the concerned Magistrate for redressal of the grievances.

6. In view of the above, the present petition is dismissed as withdrawn with the aforesaid liberty.

7. Needless to say, the petitioner is at liberty to approach the appropriate forum in case any grievance remains in future.

AMIT MAHAJAN, J

SEPTEMBER 8, 2025 / 'KDK'