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

+ **W.P.(CRL) 3513/2024**

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.....Petitioner

Through: Mr R.K. Singh and Mr Varun Thakur,
Advocates

versus

THE STATE NCT OF DELHI AND ORS.Respondents

Through: Mr Amol Sinha, ASC for State
Inspector Harjinder Kaur, CAW/Outer
District

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

% 29.01.2025

1. The present petition has been filed under Article 226 of the Constitution of India read with Section 528 of the Bhartiya Nagarik Suraksha Sanhiyta, 2023 (BNSS) seeking the following relief:

“i) To issue Writ of Mandamus or some other suitable writ in the light of the facts and circumstances of the present matter for issuing direction to investigate the FIR No. 0703 dated 27.07.2024, U/s 376D/365/392/354/354(B)/ 341/ 506/34 IPC with Crime branch or some other independent investigating agency other than the police officials of P.S. Paschim Vihar (West) Delhi, in the interest of justice”

2. Learned counsel for the Petitioner seeks time to file additional documents.

3. Learned ASC states that the Status Report has already been filed. He states that the closure report has been filed before the concerned Court and the same is annexed to the Status Report as Annexure ‘Z’.



3.1 He states that the closure report has still not been accepted by the concerned Court and therefore, the Petitioner has the remedy to appear before the said Court and file her protest petition.

3.2 He states that though the subject FIR was registered by P.S. Paschim Vihar, West Delhi, the same was thereafter transferred for investigation to CAW Cell, Outer District. He states that to this extent the prayer sought in the petition stands satisfied.

4. Learned counsel for the Petitioner is agreeable to the said suggestion of the learned ASC.

5. The petition is disposed of reserving liberty to the Petitioner to appear before the concerned Court and file its protest petition. The Petitioner will be at liberty for seeking relief of further investigation before the said concerned Court. In case the Petitioner is aggrieved by the final decision taken by the Trial Court on her protest petition, she will be entitled to seek her remedies available in law.

6. All the rights and contentions of the Petitioner raised in the present petition are left open. The disposal of this petition is not an expression of opinion on the merits of the averments made in this petition.

7. Pending applications, if any, stands dismissed.

MANMEET PRITAM SINGH ARORA, J

JANUARY 29, 2025/mt/sk

Click here to check corrigendum, if any