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

+ **W.P.(CRL) 3935/2025**

AASMA SAIFI

.....Petitioner

Through: Mr. Anurag Jani, Mr. O.P. Agarwal
and Mr. A Khan, Advocates along
with the Petitioner in person.

versus

STATE OF NCT OF DELHI AND ORS

.....Respondents

Through: Mr. Anand V. Khatri, ASC for the
State along with Mr. Aditya Khatri,
Advocate.
SI Shakti, PS Darya Ganj.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

28.11.2025

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1. The Petitioner had earlier filed a petition, being WP.CRL. 2460/2025, seeking directions to the Respondents to take action on her pending complaints.

2. The Court considered the reliefs sought and passed the following order:

1. This is a writ petition under Article 226 of the Constitution of India read with Section 528 BNSS seeking following directions:

“(a) Pass appropriate Writ(s)/ Order(s)/ Direction(s) particularly in the nature of mandamus whereby directing the Respondent no. 1 to 4 to take appropriate legal action against the Respondent No. 5 to 8 and to look into the matter and investigate the same thoroughly, properly, fairly and expeditiously preferably by State C.LD. and/or Special Investigation Team (S.I. T.), concerned S.D.M, and/or any other Independent Investigating Agency/ Authority, on the grounds as mentioned herein



above and in the interest of justice;

(b) Pass further Writs, Orders and/or Directions whereby directing the Respondent No. 2 to 4 to provide police protection/security to the Petitioner from the hands of the Respondent No. 5 to 8, on the grounds as mentioned herein above and, in the interest, of justice;

(c) Pass such other, further order(s)/direction(s) as this Hon'ble Court may deem fit, just and proper under the present facts and circumstances of the case in favour of the Petitioner"

2. Respondent no. 5 is stated to be the husband of the petitioner. The Ld. Counsel appearing for the petitioner submits that petitioner was subjected to unnatural sex by respondent no. 5 while she was 2.5 months pregnant which led to miscarriage of the baby. She was also subjected to harassment on account of demand of dowry. Petitioner made a complaint to the police but no action has been taken on such complaint.

3. Ld. Standing Counsel for the State submits that the complaint is under enquiry before the CAW Cell Kamla Market but petitioner is not cooperating in the enquiry.

4. Ld. Counsel for the petitioner states that petitioner is ready and willing to join the enquiry proceedings as and when directed by the concerned Investigating Officer.

5. The limited relief being pressed at this stage is for directions to CAW cell to conclude the enquiry expeditiously.

6. In view of the above, the petition is disposed of with direction to the CAW Cell, Kamla Market to complete the enquiry most expeditiously and preferably within a period of 4 weeks to enable the petitioner to take further appropriate action if any as per law. Petitioner to co-operate in enquiry proceedings.

7. All the rights and contentions of the parties are kept reserved.

3. Consequently, an FIR No. 0306/2025 dated 22nd September, 2025, was registered at P.S. Darya Ganj, Delhi, under Sections 85, 316(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023¹. The Petitioner's grievance is that the nature of allegations made in the complaint are not being properly examined and the FIR is not *inter alia* registered under Sections 89 and 116 BNS.

4. In the opinion of this Court, during the course of investigation, if the State finds that any other offence is made out, it shall be open to the Investigating Agency to add the relevant sections to the FIR. After

¹ "BNS"



completion of the investigation, if the Petitioner remains aggrieved by the final report filed under Section 193 of the Bharatiya Nagarik Suraksha Sanhita, 2023², her remedies lie in approaching the competent Judicial Magistrate, who shall consider such prayer in accordance with law.

5. In view of the above, no directions are required to be passed in the present petition.

6. Dismissed.

SANJEEV NARULA, J

NOVEMBER 28, 2025/MK

² “BNSS”