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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **W.P.(CRL) 38/2025 & CRL.M.As. 331-333/2025**  
**ARUN PASWAN** .....Petitioner

Through: Mr. Vishal Mahajan and Mr. Harshit  
Aggarwal, Advocates.

versus

**STATE OF NCT OF DELHI & ANR.** .....Respondents  
Through: Mr. Amol Sinha, ASC (Criminal)  
with Kshitiz Garg, Ms. Sanskriti  
Nimbekar and Mr. Ashvini Kumar,  
Advocates for State.  
Inspector Abhijeet Singh, P.S. Geeta  
Colony.

**CORAM:**  
**HON'BLE MR. JUSTICE SANJEEV NARULA**  
**ORDER**  
**09.01.2025**

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1. The present writ petition seeks the following prayer:

*“a) issue a writ of MANDMUS of like nature thereby for seeking proper investigation in the complaint of petitioner against Rajesh Chadda and for appointment appropriate investigation authority like CBI or any other appropriate authority to investigate the present case and for change of investigation officer namely S.K. Arya and to transfer complaint of Petitioner from the jurisdiction of Dinesh Kumar Assistant Commissioner of Police, Shahdra District and to appoint Sr. Police Officer to investigate the present case.”*

2. The factual background, as narrated by the Petitioner, which led to the filing of the present petition, is as follows:

2.1. On 17<sup>th</sup> December, 2023, the Petitioner made a complaint with the SHO, P.S. Geeta Colony under the Scheduled Caste and Scheduled Tribes



(Prevention of Atrocities Act), 1989, making allegations regarding abuse and threats to life made against him by one Rajesh Chadha and his wife Priyanka Chadha. No FIR was registered on the said complaint, prompting the Petitioner to file an application under Section 156(3) of the Code of Criminal Procedure, 1973<sup>1</sup> before the Additional Sessions Judge, Karkardooma Court. The said application has been registered as C.T. Case No. 98/2024 and is pending consideration.

3. In the above background, in the opinion of the Court, since the Petitioner is already taken recourse to the legal remedy as provided under the Cr.P.C for redressal of its grievance, there is no reason for this Court to exercise the jurisdiction under Article 226 of the Constitution of India.

4. Furthermore, the Supreme Court in *State of West Bengal v. Committee for Protection of Democratic Rights, West Bengal & Ors.*<sup>2</sup> has observed that the power to change the investigating agency should not be ordinarily be exercised. Such powers should be exercised in exceptional circumstances where it becomes necessary to provide credibility and instil confidence in investigations or where the incident may have national and international ramifications etc.

5. Thus, in light of the foregoing, the Court finds no ground to entertain the present petition.

6. Dismissed along with pending applications.

**SANJEEV NARULA, J**

**JANUARY 9, 2025/as**

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<sup>1</sup> Cr.P.C.

<sup>2</sup> (2010) 3 SCC 571