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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 10/2023, CRL.M.A. 103/2023**

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..... Petitioner

Through: Mr. Hemant Kumar, Adv (through
VC)
Mr. Dhananjay, brother of the
petitioner appear in person with
petitioner.

versus

STATE OF NCT OF DELHI & ORS.

..... Respondents

Through: Mr. Sanjeev Bhandari, ASC (Crl.)
with Mr. Kunal Mittal and Mr.
Saurabh Tanwar, Advs. for the State.
ASI Laxmi, PS: Palam Village.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

% **23.02.2023**

CRL.M.A. 104/2023(Exemption)

1. Allowed subject to all just exceptions.
2. Application is disposed of.

W.P.(CRL) 10/2023

1. Mr. Hemant Kumar, Advocate appears on behalf of the petitioner through VC. However, the petitioner appears in person assisted by her brother Mr. Dhananjay who states that they would like to seek a discharge for their advocate who is being representing them considering that they have some apprehensions about being properly represented in regard to their



grievances in the matter.

2. Accordingly, Mr. Hemant Kumar and his other associates are discharged from representing the petitioner.

3. In view of the fact that the victim /petitioner grievances as mentioned in the petition are grave, it would be appropriate that counsel from the Delhi High Court Legal Services Committee be allocated to them in order to represent them in the proceedings henceforth.

4. Copy of this order be sent to Secretary Delhi High Court Legal Services Committee in order to appoint an advocate to represent the matter on behalf of the petitioner.

5. The petitioner has made serious and grave allegations in relation to six accused persons who are apparently history sheeters and notorious criminals of Baghpat in U.P. of incident around April, 2021, when the said persons had apparently abducted the petitioner from New Delhi and she was subjected to gang rape in Baghpat. While lodging the FIR the petitioner was knowing the two names out the six accused but later in statement recorded under Section 164 Cr.P.C., she mentioned the names of the other accused as well.

6. However, pursuant to the investigation only two of the said accused have been arrested and have been charged pursuant to filing of the charge sheet. The petitioner has placed on record very serious apprehensions about the fact that the investigation was compromised as a result of the influence of the accused and therefore has sought that the matter be investigated by the CBI or an SIT to ensure unbiased investigation.

7. Learned ASC appearing for the State will file the Status Report in this regard addressing these concerns which have been stated in the petition in



order to place full facts before this Court on the next date of hearing.

8. List on 16th March, 2023.
9. Order be uploaded on the website of this Court.

ANISH DAYAL, J

FEBRUARY 23, 2023/RK