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

+ CRL.M.C. 7803/2023

MXXXXXXXXX

.....Petitioner

Through: Mr. R.P.Kaushik and Mr. Himanshu
Kaushik, Advocates.

versus

STATE OF NCT OF DELHI AND ANR.

.....Respondents

Through: Ms. Shubhi Gupta, APP for the State.
Mr. Deepak Godara, Advocate
(through VC) for R-2.

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+ W.P.(CRL) 971/2024 & CRL.M.A. 9232/2024 (Stay), 9233/2024
(exemption)

MXXXXXXXXX

.....Petitioner

Through: Mr. R.P.Kaushik and Mr. Himanshu
Kaushik, Advocates.

versus

STATE AND ANR THROUGH SHO PS SAGARPUR.....Respondent

Through: Ms. Rupali Bandhopadhyaya, ASC
(criminal) for the State.
Mr. Deepak Godara, Advocate
(through VC) for accused persons.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

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22.01.2025

1. This hearing has been done through hybrid mode.

**W.P.(CRL) 971/2024 & CRL.M.A. 9232/2024 (Stay), 9233/2024
(exemption)**

2. The present petition under Article 226 of the Constitution of India read



with Section 482 of the Cr.P.C. seeks following prayers:-

- i. For initiating action against concerned SHO, Investigating Officer and other Police Officials for dereliction of Duty and thereby denying Constitutional Rights of Free Legal Aid, prompt and Fair Investigation and Trial to Petitioner.
- ii. For conducting the Re-investigation of the case by some Independent Agency Like CBI, etc in accordance with Law in FIR 314/2021 dated 05.07.2021 u/s 376/323/506/509/34 IPC of P.S. Sagarpur, New Delhi.
- iii. And any such other and further Order/ Directions in favour of the Petitioner as this Hon'ble Court may deems fit and Proper in the facts and circumstances of the Case and in the interest of Justice.”

3. Issue notice.
4. Learned ASC for the State accepts notice and seeks time to place on record response to the written submissions filed by the petitioner with respect to the grounds for re-investigation in the present FIR, as prayed for in the present petition alongwith any other response as deems fit and necessary. Let the same be done before the next date of hearing.
5. Learned counsel accepts notice on behalf of all the three accused persons in CRL.M.C. 7803/2023. Response, if any, be filed before the next date of hearing.
6. Let learned counsel for the petitioner file an amended memo of parties arraying the accused(s) in W.P.(CRL) 971/2024, before the next date of hearing.
7. List on 24.04.2025.
8. In the meantime, learned Trial Court is requested to defer the hearing of the trial to a date, after the one listed in the present petition.
9. Copy of the order be sent to the concerned learned Trial Court for necessary information and compliance.



10. Order be uploaded on the website of this Court, *forthwith*.

CRL.M.C. 7803/2023

11. List alongwith W.P.(CRL) 971/2024 on 24.04.2025.

JANUARY 22, 2025/sn

AMIT SHARMA, J
Click here to check corrigendum, if any