

Sucharita Sen Vs. State  
PS-Vasant Kunj  
U/s 156 (3) Cr.PC

19.05.2020.

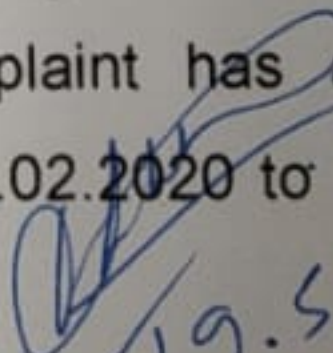
Present: Ld. APP for State through telephonically.  
Proxy counsel for the applicant/Accused.

Today, the matter listed for order on application of the applicant seeking early hearing u/s 156 (3) Cr.PC. Yesterday, the arguments were heard at length. Report was also filed by the IO. It was argued by the Ld. counsel for the applicant that application for early hearing of the complaint case has been allowed and now the matter is listed for order on application u/s 156 (3) Cr.PC of the complainant. Further, the direction for registration of separate FIR on the complaint of the complainant is sought on the ground that the police has filed only a few of FIR and is carrying out a joint investigation in all the incidents reported from 01.01.2020 to 05.01.2020 in JNU.

I have heard the submissions and the report filed by the IO.

The submissions of the counsel for applicant that the early hearing of the application of the applicant has already been allowed seems to be mis-founded as the order dated 05.05.2020 does not mention the same and action taken report in FIR no. 6/2020 was called by the Ld. Duty MM. Further, the order clearly mentions that any further proceedings shall be subject to requisite status report.

Be that as it may, application u/s 156 (3) of the applicant is already pending in the concerned court for 18.06.2020. As per the status report dated 18.05.2020, the complainant has been medically examined and her statement had already been recorded. Her complaint has also been transferred to Crime Branch which was given on 06.02.2020 to PS-Vasant

  
19.5.20



Kunj. Further, the Hon'ble High Court vide order dated 14.01.2020 has already given directions for expediting the investigation of the FIR's.

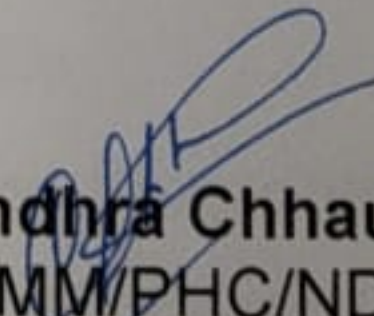
At this stage, the reasons for preponment of the application u/s 156 (3) Cr.PC of the complainant are not found to be plausible. Further, in the present condition posed due to Covid-19 Pandemic, the courts are to take only the urgent matters. It is beyond the comprehension of the court as what prejudice will be caused to the complainant if already pending application 156 (3) is not preponed.

It was further argued by the Ld. counsel for the applicant that police be directed to register a separate FIR on the allegations of the complainant and relied on various judgments of Hon'ble Apex Court.

It is worth reiterating that the investigation of the FIR already registered regarding the mob violence at JNU is already in progress and Hon'ble High Court has already directed to the investigating agency to expedite the matter. This court abstains itself from making any observations upon the arguments nor the registration of separate FIR as the same may effect the final disposal of application u/s 156 (3) Cr.PC.

In view of the above facts and circumstances, the present application for preponement of application u/s 156 (3) Cr.PC stands dismissed.

Copy of this order be given dasti, as prayed.

  
(Vasundhara Chhaunkar)  
DMM/PHC/NDD  
19.05.2020