

ITEM NO.16

COURT NO.4

SECTION X

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Writ Petition(s)(Criminal) No(s).248/2022

SHASHI SAXENA & ANR.

Petitioner(s)

VERSUS

COMMISSIONER OF POLICE DELHI & ORS.

Respondent(s)

(FOR ADMISSION and IA No.88675/2022-EXEMPTION FROM FILING O.T.)

Date : 20-07-2022 This petition was called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD
HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR. JUSTICE A.S. BOPANNA

For Petitioner(s) Dr. Adish Agrawal, Adv.
Mr. Rajesh Kr.Arora, Adv.
Ms. Aakanksha Tiwari, Adv.
Ms. Nivedita, Adv.
Mr. Narendra Mishra, Adv.
Mr. Nilakshi Chauhan, Adv.
Mr. Amish Agrawal, Adv.
Mr. Shiv Sagar Tiwari, AOR
Mr. Harshit Khanduja, Adv.
Mr. Sagar Roy, Adv.
Mr. Shishu Pal Singh, Adv.
Mr. Arup Ratan Dutta Choudhury, Adv.

For Respondent(s) Ms. Pragya Baghel, Adv.
Mr. Karma Dorjee, Adv.
Mr. Tulika Mukherjee, AOR
Mr. Shwetank Singh, Adv.
Ms. Ekta Bharati, Adv.

Mr. Samir Ali Khan, AOR

UPON hearing the counsel the Court made the following
O R D E R

- 1 A counter affidavit has been filed by the Superintendent of Police, Aurangabad in the State of Bihar. The counter affidavit states that on 25 May 2022, a dead body of an unknown woman was found within the jurisdiction of Madanpur Police

Station, District Aurangabad. On the same day, a dead body of an unknown male was found in the jurisdiction of PS Amas, District Gaya.

2 The Superintendent of Police Aurangabad constituted an SIT on 10 June 2022.

Paragraphs 8 and 9 of the counter affidavit are extracted below:

“8. That it is most respectfully submitted that during the course of investigation, named accused Abhimanyu Singh was arrested and his confessional statement was recorded by the police. He confessed that he along with his associate co-accused namely Pawan Singh s/o Surender Singh, 2. Ankit Singh s/o Pancham Singh, 3. Niraj Singh s/o Sashi Bhushan Singh, 4. Madan Ram S/o Sanwari Ram, 5. Vimlesh Singh @ Karu Singh S/o unknown, 6. Sumant Singh s/o Late Yadav Singh committed murder of Anil Kumar Pandey and Miss Moni Saxena and the dead bodies were thrown in two different places having different police station jurisdiction to mislead the investigation.

9. That the reason of genesis of the murder is said that accused Abhimanyu Singh had given Rs.9,00,000/- (Nine Lacs) to Anil Kumar Pandey to ensure the job of his brother in the Armed Forces but deceased Anil Kumar Pandey grabbed the amount which caused discontent in the mind of Abhimanyu Singh. So far as the female deceased Moni Saxena is concerned, she was murdered only on account of the fact that she had accompanied with Anil Kumar Pandey, abused and objected on the point of transaction of money.”

3 It has also been stated that during the course of the investigation, other co-accused, namely (i) Pawan Kumar Singh and (ii) Madan Ram have been arrested.

4 Counsel appearing on behalf of the petitioners submits that a complaint was lodged before the SHO, Sagarpur at Delhi on 16 June 2022 alleging that the daughter of the first petitioner had been abducted, but, no First Information Report was registered in spite of a cognizable offence having been made out. Counsel states that if timely action had been taken by the Delhi Police, perhaps

the eventual murder of the daughter of the first petitioner would have been averted. Hence, he has requested this Court to further scrutinize the role of the Delhi Police so as to extract a degree of accountability.

- 5 Notice has been issued in these proceedings on 30 June 2022. None appears on behalf of the Commissioner of Police and the Deputy Commissioner of Delhi Police, Vasant Vihar.
- 5 Liberty is granted to serve the Standing Counsel for the NCT of Delhi.
- 6 List the petition on 28 July 2022.

(SANJAY KUMAR-I)
DEPUTY REGISTRAR

(SAROJ KUMARI GAUR)
COURT MASTER