

ITEM NO.54

COURT NO.2

SECTION XIV

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

Petition(s) for Special Leave to Appeal (C) No(s). 7446/2024

[Arising out of impugned final judgment and order dated 05-02-2024 in WP(C) No. 1603/2024 passed by the High Court of Delhi at New Delhi]

VIVEK KUMAR GAURAV

Petitioner(s)

VERSUS

UNION OF INDIA

Respondent(s)

IA No. 74377/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

Date : 14-02-2025 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.R. GAVAI

HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

For Petitioner(s) :

Mr. Rohit Shukla, Adv.

Mr. Chand Qureshi, AOR

Mr. Lohit Kumar Bimal, Adv.

Mr. Raghav Kumar Bimal, Adv.

Mr. Keshav Dev, Adv.

Mr. Chandan Kumar Mandal, Adv.

Mr. Rakesh Ranjan, Adv.

For Respondent(s) :

Ms. Archana Dave Pathak, Ld. ASG

Mr. Nachiketa Joshi, Sr. Adv.

Mr. Udit Dedhiya, Adv.

Ms. Aarushi Singh, Adv.

Mr. Madhav Sinhal, Adv.

Mr. Arvind Kumar Sharma, AOR

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

1. Ms. Archana Dave Pathak, learned Additional Solicitor General appearing for the respondent states that the concern of the petitioner is taken care of in the provisions of the Bharatiya Nagarik Suraksha Sanhita, 2023. It is stated that as per the provision contained therein the complainant/victim is entitled to get the copy of the chargesheet.
2. Learned counsel for the petitioner submits that the said provision does not take complete care of the petitioner, inasmuch as the complainant/victim would not be entitled to appear at a pre-charge stage.
3. The Parliament after considering various aspects has come up with a new enactment. In writ jurisdiction, neither the High Court nor this Court can direct the legislature to enact a law in a particular manner.
4. In that view of the matter, we are not inclined to entertain this petition. The special leave petition is, accordingly dismissed.
5. Pending application(s), if any, stand(s) disposed of.

(DEEPAK SINGH)
ASTT. REGISTRAR-cum-PS

(ANJU KAPOOR)
COURT MASTER (NSH)