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

CNR No. DLHC010383152026

+ **W.P.(CRL) 2497/2026**

SH PIYUSH VIJ & ANR. Petitioners

Through: Appearance not given.

versus

STATE OF NCT OF DELHI & ANR. Respondents

Through: Mr. Yasir Rauf Ansari, ASC with
Mr. Alok Sharma, Mr. Pavitra
Dixit, Advocates. SI Jayesh Kalal,
PS-Adarsh Nagar.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **18.08.2026**

CRL.M.A. 25266/2026 (for exemption)

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

W.P.(CRL) 2497/2026

1. By way of this petition under Article 226 of the Constitution, the petitioners seek the following reliefs:

“a. Issue an appropriate Writ of Mandamus directing the Commissioner of Police, Delhi, to order an independent departmental and vigilance inquiry into the conduct of SI Jayesh Kalal, PS Adarsh Nagar, and other police officials found complicit, for abuse of power, mala fide action, fabrication and suppression of records, theft of DVR, intimidation, and wilful disobedience of judicial orders;

b. Issue a Writ of Mandamus directing the Deputy Commissioner of Police, North-West District, to take immediate disciplinary action against SI Jayesh Kalal and any other erring



officials, in accordance with law, and to place the outcome of such proceedings before this Hon'ble Court;

c. Issue a Writ of Mandamus directing to restrain officials of PS Adarsh Nagar, including SI Jayesh Kalal, from entering the Petitioners' residential or commercial premises, or interfering with their lawful business and personal liberty, except strictly in accordance with due process of law; and the stolen DVR, and to take action for destruction or tampering of evidence;

e. Issue an appropriate Writ or Direction directing Respondent Nos. 1 and 2 to grant compensation to the Petitioners for violation of their fundamental rights under Articles 14 and 21 of the Constitution of India, with liberty to recover the same from the erring officials after due inquiry;

f. Pass any such other or further order(s) as this Hon 'ble Court may deem fit and proper in the interest of justice."

2. Petitioner No. 1 was accused in FIR No. 561/2025, registered at Police Station Adarsh Nagar, at the instance of his father. Petitioner No. 2 is the brother of petitioner No. 1. Respondent No. 2 is the Investigating Officer, who investigated the aforesaid FIR.

3. The FIR was quashed by an order of this Court dated 22.12.2025 in CRL.M.C. 8338/2025, on the ground of a settlement between the parties, by way of recording an unconditional apology by the petitioners herein to the complainant, which was accepted by the complainant. Petitioner No. 1 thereafter moved CRL.M.A. 380/2026 for modification of the aforesaid order, which was declined by order dated 07.01.2026. I am informed that the order dated 22.12.2025 was challenged before the Supreme Court. Although paragraph 17 of the present petition states that Special Leave Petition ["SLP"] is pending, learned counsel for the petitioners submits that the SLP was, in fact, withdrawn on 20.07.2026. The proceedings arising out of FIR No. 561/2025 against petitioner No. 1 have thus concluded.



4. During the course of investigation of the said FIR, petitioner No. 2 had made a complaint to the Deputy Commissioner of Police, Ashok Vihar, on 04.12.2025 against respondent No. 2 and others. It is also alleged that the petitioners and their father continue to reside in the same property and PCR calls have been made on several occasions by one or the other party, many of which have been attended by respondent No. 2. Learned counsel for the petitioners submits that, according to the petitioners, the conduct of respondent No. 2 is biased towards their father and the investigation of the aforesaid complaint and the PCR calls has not been undertaken in a fair and impartial manner. Learned counsel, however, states that the petitioners have not yet approached the Magistrate's Court under Section 175(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023 ["BNSS"] in respect of any complaint after the quashing of the aforesaid FIR.

5. Learned counsel further submits that there were civil proceedings between the petitioners and their father which resulted in a consent decree dated 28.02.2025, on the basis of a Memorandum of Understanding between the parties. The execution proceedings are also pending before the concerned Court.

6. The position that emerges from the above is that: (a) the FIR against petitioner No. 1 has already culminated in an order of quashing by this Court, against which the SLP has been withdrawn; (b) none of the subsequent complaints made by the petitioners have yet been taken before the Magistrate's Court under Section 175(3) of the BNSS; and (c) execution proceedings in respect of the consent decree passed in the civil case remain pending.



7. In these circumstances, learned counsel for the petitioners does not press the relief sought in this petition, but reserves the petitioners' right to take remedies available to them in law before the Magistrate's Court, if necessary, as also in the pending execution proceedings.

8. At this stage, Mr. Yasir Rauf Ansari, learned Additional Standing Counsel, states, without admitting any of the allegations in the petition, that any complaint with regard to the disputes between the petitioners and their father, will be entrusted to an officer other than respondent No.2.

9. In view thereof, no further orders are sought in this petition. The petition is therefore disposed of in terms of the aforesaid submissions.

PRATEEK JALAN, J

AUGUST 18, 2026
'B'/AD/