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

CNR No. DLHC010406272026

+ **W.P.(CRL) 2632/2026 and CRL.M.A. 26686/2026**

BARKHA

.....Petitioner

Through: **Mr. Counsel (*appearance not given*)**

versus

UNION OF INDIA & ORS.

.....Respondent

Through: **Mr. Naresh Kumar Chahar, APP for State.**

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

% **31.08.2026**

1. The petitioner, a law student and a trustee of an NGO, has filed the present petition, primarily, to challenge a Notice of Personal Appearance dated 19.08.2026 ("**Impugned Notice**") sent by the PS Sarita Vihar, New Delhi requiring him to appear on 21.08.2026 in connection with an enquiry based on a complaint dated 10.08.2026.

2. The petitioner submits that while he was in full receipt of the Impugned Notice as the same was served to him on 19.08.2026, a fresh physical notice ought to be issued, as WhatsApp notice is not sufficient compliance of Section 35 of the Bharatiya Nagrika Nyaya Sanhita, 2023 ('**BNSS**'). He places reliance on a decision of the Supreme Court in



***Satender Kumar Antil v. CBI.*¹**

3. The petitioner through this petition is seeking a direction from this Court to require the Police Authority to undertake a mechanical, unproductive, and repetitive exercise which shall be a sheer waste of resources. While the position in ***Satender Kumar Antil*** (supra) is not doubted, in the peculiar facts and circumstances of the case, since service of the Impugned Notice through WhatsApp is not controverted, and no prejudice, has been shown to have been caused, the Writ Court in exercise of its inherent powers does not deem it appropriate to interdict the Impugned Notice.

4. For all the aforesaid reason, the petition fails and is, accordingly, dismissed.

PURUSHAINDR KUMAR KAURAV, J

AUGUST 31, 2026

aks/ksr

¹ 2025 INSC 909