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

CNR No. DLHC010417192026

+ **W.P.(CRL) 2718/2026 & CRL.M.As. 27403-27404/2026**

SANJEEV KUMAR BALYAN & ORS. Petitioners

Through: **Mr. Dev Rishi & Ms. Payal, Advs.**

versus

STATE (GNCT OF DELHI) & ANR. Respondents

Through: **Mr. Amol Sinha, ASC with Mr. Kshitiz Garg, Mr. Ashvini Kumar, Mr. Nitish Dhawan, and Mrs. Chavi Lazarus, Advs.**
Appearance of R-2 not given.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **07.09.2026**

1. By way of this petition under Article 226 of the Constitution, the petitioners assail notices dated 10.04.2026 and 02.05.2026, issued by Police Station Sector 23, Dwarka, Delhi, directing them to join an enquiry in connection with a complaint filed by respondent No. 2, pertaining to transfer of an immovable property.

2. Mr. Dev Rishi, learned counsel for the petitioners, contends that the subject immovable property is located in Ghaziabad, and that all related transactions also took place in Ghaziabad. Mr. Rishi further submits that respondent No. 2 had, in fact, filed the complaint before Police Station Sahibabad, Ghaziabad, and a notice dated 06.10.2025 was



issued to the petitioners herein. The petitioners challenged the aforesaid notice by way of Criminal Misc. Writ Petition No. 2937/2025 before the Allahabad High Court; however, it was withdrawn as infructuous by the petitioners' counsel *vide* order dated 13.08.2026. Mr. Rishi contends that the withdrawal was without the petitioners' instructions. In the meanwhile, the enquiry was transferred from Police Station Sahibabad, Ghaziabad to Police Station Sector 23, Dwarka, Delhi.

3. Mr. Amol Sinha, learned Additional Standing Counsel for the State, submits that the enquiry has since been transferred from Police Station Sector 23, Dwarka, to Police Station Economic Offences Wing, in view of the pecuniary amounts involved in the allegations. Mr. Sinha submits that the case is at a pre-FIR stage and that only the preliminary enquiry is in progress. He submits that in the event, any of the petitioners are required to join the enquiry, they will be duly served with notice. He further submits that if an FIR is registered, the investigation will be undertaken in accordance with law, and the Investigation Officer will consider whether a charge sheet is required to be filed at the appropriate stage.

4. Having regard to the stage at which the proceedings are at present, Mr. Rishi does not press this petition, but reserves all rights and remedies available to the petitioners in the pending proceedings.

5. The petition, alongwith pending applications, is disposed of in terms of the above.

6. It is clarified that the Court has not made any observation on the merits of the case. Although no notice has been issued to respondent No. 2, learned counsel for respondent No. 2 is present on advance notice. This



order is being passed without prejudice to the rights and contentions of respondent No. 2.

PRATEEK JALAN, J

SEPTEMBER 7, 2026/“ng”/MK/