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

+ **W.P.(CRL) 2122/2024**

PRADEEP SINGHAL

.....Petitioner

Through: Mr. Dhananjai Jain, Advocate.

versus

GOVT OF NCT DELHI AND ORS.

.....Respondents

Through: Mr. Amol Sinha, ASC with Insp.
Nikesh Kumar, PS: EOW.

CORAM:

HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

ORDER

% **18.07.2024**

1. Petition under Article 226 of the Constitution on India read with Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been preferred on behalf of the petitioner with the following prayers :

“a) Issue a writ of mandamus or any other appropriate writ, order, or direction directing the reassignment of the Petitioner’s complaint to a different Investigating Officer and ensure that the complaint dt. 25/05/2024 is treated independently from FIR no. 0061/2021 dt.13/04/2021 P.S. Economic offence wing.

b) Issue a writ of mandamus or any other appropriate writ, order, or direction directing the Respondents to take immediate legal action against the accused as per the complaint lodged by the Petitioner.”

2. Learned ASC for the State (respondent No. 1 and 2) appears on advance notice and accepts notice.

3. Learned counsel for petitioner submits that complaint submitted by petitioner has been wrongly clubbed with an earlier FIR, which already stands



registered. He further contends that present complaint constitutes a separate cause of action, and the same could not have been clubbed with an earlier complaint.

4. Learned ASC for the State opposes the petition and submits that if the petitioner is aggrieved against non-registration of FIR, he may initiate proceedings under sub-section (4) of Section 173 read with sub-section 3 of Section 175 of BNSS, seeking appropriate directions from learned MM. It is further informed that the complaint is still being looked into by the investigating agency.

5. The matter is still under consideration of investigating agency. Keeping in view the facts and circumstances of the case, petitioner is at liberty to proceed in accordance with law under Sections 173/175 of BNSS, in case, he is aggrieved against the non-registration of a separate FIR. No further directions are called for at this stage.

Petition is accordingly disposed of. Pending applications, if any, also stand disposed of.

ANOOP KUMAR MENDIRATTA, J.

JULY 18, 2024/R