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

+ **W.P.(CRL) 63/2025 and Crl.M.A. Nos. 562-63/2025**

SH RAVI SHIVDAS MENON & ANR.

.....Petitioners

Through: **Mr. Abhay Chitravanshi, Ms. Grisha
and Mr. Ashok, Advocates.**

versus

**GOVERNMENT OF THE NATIONAL CAPITAL TERRITORY OF
DELHI (GNCTD) THROUGH STATION HOUSE OFFICER
NAGAR NEW DELHI-110017**

.....Respondent

Through: **Mr. Sanjeev Bhandari, ASC for the
State with SI Sanjeet Rathore, P.S.
Malviya Nagar.**

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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10.01.2025

CRL.M.A. 563/2025 (exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

W.P.(CRL) 63/2025 and Crl.M.A. No. 562/2025 (for interim orders)

3. The present petition has been filed seeking the following reliefs:-

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- (I) Writ of **CERTIORARI** or any other Writ, Order or Direction for setting aside and quashing the
- (II) notices dated 04.01.2025 (being dispatch No.58 & 59 purportedly issued under the Complaint dated.30.11.2024; DY No.2465/GC Dt.30.11.2024) passed by the Respondent; and/or:
- (III) Writ / Order in the nature of Direction issuing guidelines on how the preliminary enquiry is to be conducted by the



Respondent in compliance of the safeguards provided under the BNSS, 2023; and/or:

(IV) *Pass such other and further order(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case."*

4. The petitioners herein are aggrieved by two separate notices sent to them to join a preliminary inquiry being conducted by the IO of Police Station Malviya Nagar, Delhi, on the basis of a complaint filed by the complainant/company.

5. Learned counsel appearing on behalf of the petitioners submits that the present case is a counter blast, inasmuch as, the company of the petitioner had initiated proceedings against the complainant/company under Section 9 of the Insolvency and Bankruptcy Code, 2016.

6. He further submits that petitioner no.1 resides in Mumbai, whereas petitioner no.2 is the resident of Gurugram and thus, both the locations fall outside the jurisdiction of this Court, therefore, the notices are also without jurisdiction and arbitrary.

7. Issue notice.

8. Learned standing counsel appearing on behalf of the State accepts notice. He submits that insofar as petitioner no. 1 is concerned, he may join the preliminary inquiry through video conferencing, whereas the petitioner no.2, who is residing in Gurugram, may join the preliminary inquiry physically on any date of his convenience.

9. The aforesaid proposal is acceptable to the learned counsel for the petitioners.

10. In view of the above, the present petition is disposed of with a



direction that petitioner no.1 will join the preliminary inquiry on 23.01.2025 at 04:00 P.M. through video conferencing, whereas petitioner no. 2 will physically appear before the concerned Investigating Officer concerned on the said date and time.

11. The pending application also stands disposed of.

VIKAS MAHAJAN, J

JANUARY 10, 2025

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