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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 155/2025 & CRL.M.As. 1257-1259/2025**
MR BHAGWATI PUJAN JHAPetitioner

Through: Mr. P.V. Dinesh, Senior Advocate
with Mr. Deepak Prakash, Ms.
Divyangna Malik, Ms. Anna
Oommen and Mr. Gourav, Advocates.

versus

UNION OF INDIA & ORS.Respondents
Through: Mr. Vinay Yadav, SPC with Mr.
Abhinav M. Goel, Mr. Ansh Kalra
and Ms. Kamna Behrani, Advocates
for UOI.
Mr. Sunil Kumar Gautam, APP with
Mr. Anand V. Khatri, ASC (Criminal)
for State.
Mr. Tushar Sannu and Mr. Shivraj
Singh Tomar, Advocates for R-2.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER
17.01.2025

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1. The present petition has been filed under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973¹/ Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023,² seeking the following prayers:

“i) Issue a writ in the nature of Mandamus or any other writ/order or Direction, thereby directing the Respondent No. 2 to give appropriate

¹ [‘CrPC’]

² [‘BNSS’]



directions to Respondent Nos. 1 and 3 to 5 herein for complying with the binding and mandatory directions laid down by the Hon'ble Supreme Court of India in the cases of Lalita Kumari V. State (2008) 7 SCC 164 and Lalita Kumari V. State (2014) 2 SCC 1, read with Letter No. 15011/35/2013-SC/ST-W dated 10.05.2013 and implement the same with respect to the Written Criminal Complaint dated 10.09.2024 lodged by the Petitioner herein; and

ii) Issue a writ in the nature of Mandamus or any other writ/order or Direction, thereby directing the Respondent Nos. 3-5 herein to file an Affidavit before this Hon'ble Court disclosing therein the reasons for not registering the FIR with respect to Criminal Complaint dated 10.09.2024 lodged by the Petitioner herein."

2. On 10th September, 2024, the Petitioner lodged a criminal complaint before P.S. Karol Bagh for registration of FIR. On account of no action being taken, the Petitioner sent an email communication dated 7th October, 2024 to the Special Commissioner of Police for speedy registration of FIR. However, no action was taken with respect to the same. Consequently, the Petitioner has preferred an application under Section 175(3) of the BNSS for registration of the FIR.
3. The aforementioned complaint is currently pending. On 22nd November, 2024, the Trial Court has directed the SHO, P.S. Karol Bagh to file an Action Taken Report, apprising the Trial Court about the action taken on the Petitioner's complaint. The SHO has also been asked to inform the Trial Court as to whether as a result of the investigation/ inquiry, any cognizable offence has been made out against the accused person and whether any action has been taken by the police.
4. Therefore, the Petitioner has already invoked the appropriate remedy as provided under law for seeking registration of the FIR.
5. In such circumstances, the Court finds no reason to entertain the



present writ petition. It is clarified that the Court has not commented on the merits of the case. The concerned Trial Court shall consider the Petitioner's application on its own merits, in accordance with law.

6. The present petition is disposed of.

SANJEEV NARULA, J

JANUARY 17, 2025

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