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

+ **W.P.(CRL) 914/2025, CRL.M.A. 8629/2025&CRL.M.A. 8630/2025**

**NATIONAL GENERAL SECRETARY OF THE NATIONAL
COUNCIL OF YMCAS OF INDIA**Petitioner

Through: Mr. Manish Sharma, Senior Advocate
with Mr. Puneet Jaiswal, Mr. Shubham
Srivastava, Mr. Bhupendra
Sharma, Mr. Akash Awana and Ms.
Adya Rao, Advocates.

versus

STATE NCT OF DELHI AND ANRRespondents

Through: Mr. Amol Sinha, ASC (criminal) for
the State.
ACP Hari Singh and Insp. Sanjay
Singh, EOW, Mandir Marg.
Ms. Savita Singh, Advocate for R-2
(through VC).

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **17.04.2025**

1. This hearing has been done through hybrid mode.
2. The present petition under Article 226 of the Constitution of India read with Section 528 of the BNSS seeks following prayers: -

“1. Issue a writ in the nature of Mandamus directing the Respondent No. 1 to provide case diary for the perusal of this Hon'ble Court as it seems that Investigation has not been done so far in fair and transparent manner.

And

2. Issue a writ in the nature of Mandamus directing the Respondent No. 1 not to harass the Petitioners by calling multiple times, when all the documentary records are already with them.

And

3. Issue a writ in the nature of Mandamus directing the Respondent No. 1 not to proceed with the investigation of instant FIR in view”



3. Learned Senior Counsel appearing on behalf of the petitioner draws attention of this Court to an order dated 06.12.2024 passed by Coordinate Bench of this Court in W.P.(CRL) 3827/2024 with respect to the same FIR, wherein it was recorded as under:-

“4. The petitioners are essentially aggrieved that they have been harassed under the garb of investigation.

5. The learned senior counsel for the petitioners submits that the petitioners have joined the investigation on multiple occasions. He submits that the petitioners appeared on 16 occasions before the Delhi Police and all relevant documents were provided as required.

6. He submits that the petitioners have now been again called for investigation and multiple notices have been sent to them by the police. He submits that petitioner no.1 is a senior citizen and petitioner no.3 is a practicing advocate and is resident of Goa and requiring them to join investigation multiple times is undue harassment.

7. The learned Additional Standing Counsel for the State submits that the investigation has been recently transferred to EOW in the month of May, 2024. He assures that the petitioners will not be unduly called for investigation and will only be called during the office hours.

8. He further submits that the advance notices will be given to the petitioner for recording of their statement and if any of the petitioner is in difficulty on that date, the request would be considered. He further submits that the investigation would be concluded expeditiously without any delay and the charge sheet will be filed in near future.”

4. Learned Senior Counsel for the petitioner further submits that thereafter again the General Secretary of petitioner was summoned and was asked to provide details of the documents which are already in the possession of the Investigating Officer. It is submitted that on account of the same, the investigation is not fair.

5. Learned Additional Standing Counsel, on instructions from the Investigating Officer, submits that the aforesaid notice was issued due to inadvertence and the documents are in their possession. It is further submitted



that the Investigating Officer shall follow the directions given by the Coordinate Bench of this Court *vide* order dated 06.12.2024.

6. At this stage, in view of the above, learned Senior Counsel appearing on behalf of the petitioner does not wish to press the present petition and seeks leave to withdraw the same.

7. Leave granted.

8. The present petition is dismissed as withdrawn and disposed of accordingly.

9. Pending application(s), if any, also stand disposed of.

10. Needless to state that, the petitioner is at liberty to initiate appropriate proceeding(s) in case any grievance remains in future.

AMIT SHARMA, J

APRIL 17, 2025/sn

[Click here to check corrigendum, if any](#)