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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 1081/2025**
ARVIND TANDONPetitioner

Through: Mr. Gurpratap Singh, Advocate.

versus

STATE NCT OF DELHI & ORS.Respondents
Through: Mr. Sanjay Lao, SC (Crl.) with Ms.
Priyam Agrawal and Mr. Abhinav
Arya, Advocates for State.
SI Sandeep Yadav, P.S. V.K. North.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

21.07.2025

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1. The present petition under Article 226 of the Constitution of India, 1950 read with Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023¹ (erstwhile Section 482 of the Code of Criminal Procedure, 1973²), seeks directions to be issued to the Respondents for registration of an FIR and conducting an investigation into the Complaint dated 26th March, 2025, filed by the Petitioner against one Baljeet Singh. The specific reliefs prayed for are as follows:

“1. Issue writ/order/ directions in the nature of mandamus to the Respondent No. 1 to 6, thereby, directing the police official of P.S Vasant Kunj, North to take immediate actions upon complaint dated 26.03.2025 filed by the petitioner and register FIR against the Baljeet Singh.

¹ “BNSS”

² “Cr.P.C.”



2. *Issue writ/order/ directions in the nature of mandamus to the Respondent No. 1 to 6, thereby, directing them to provide protection to the Petitioner and her family from the culprit Baljeet Singh.*
3. *And/or to pass any other order granting such relief which this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case, in the interest of justice."*

2. Briefly, the facts of the case, as narrated by the Petitioner in the present petition are as follows:

2.1. On 25th March, 2025, the Petitioner was allegedly physically assaulted by Baljeet Singh outside his mother's residence at Harijan Basti, Masoodpur Village, Vasant Kunj, New Delhi. It is stated that the said individual struck the Petitioner on the face with a metallic water bottle, resulting in severe pain and bleeding from his lips and mouth and damage to his front teeth. He submits that in order to protect himself, Baljeet Singh called the PCR number and allegedly falsely told the authorities that the Petitioner was trying to illegally enter the property owned by him. However, despite the nature of injuries sustained by the Petitioner, the police officials failed to extend immediate medical assistance to the Petitioner and instead took him to the police station.

2.2. Thereafter, the Petitioner narrated the entire incident to Respondents No. 5 (SHO, P.S. Vasant Kunj) and 6 (ASI, P.S. Vasant Kunj), and sought registration of an FIR. However, despite repeated requests, no action was taken, and the Petitioner was not referred for a Medico-Legal Examination. It is further alleged that illegal gratification was demanded by the said police officials. The Petitioner asserts that owing to the refusal of the police to provide assistance, he was compelled to arrange medical treatment on his own, and was taken by his family to Safdarjung Hospital where a Medico



Legal Case³ was prepared documenting the injuries sustained by him.

2.3 On 26th March, 2025, the Petitioner visited P.S. Vasant Kunj and made a detailed complaint against Baljeet Singh but no action was taken by the officials.

2.4. Owing to continued inaction, the Petitioner approached the higher authorities by filing complaints dated 27th March, 2025, to Respondent No. 4 (DCP, Vigilance) and 29th March, 2025, to Respondent Nos. 2 (Commissioner of Police, Delhi) and 3 (DCP, South-West). Nevertheless, neither was an FIR registered nor was any inquiry initiated.

2.5. Therefore, aggrieved by the failure of the authorities to act upon his complaint disclosing commission of a cognizable offence, the Petitioner has approached this Court under Article 226 of the Constitution seeking appropriate directions for registration of an FIR and further investigation.

3. On the previous date, considering the nature of allegations levelled by the Petitioner, this Court directed the State to file a status report. The said report discloses a very different set of accounts in terms of what occurred on the date in question. The facts as laid down in the Status Report filed by the State are as follows:

3.1. On 25th March, 2025, a PCR call, made by one Baljeet Singh, was received at P.S. Vasant Kunj North and recorded *vide* DD No. 43A wherein the caller stated that there is an ongoing land dispute regarding a property and there was a person recording videos of himself coming in and out of the said disputed property. The DD entry was assigned to the Investigating Officer, ASI Dharam Singh, who proceeded to the spot and met the caller Mr. Baljeet Singh, who informed him that there was a longstanding land

³ “MLC”



dispute between the parties and in this regard, several litigations had been initiated and were pending before the District Courts.

3.2. On the same date, information was received from Safdarjung Hospital regarding MLC No. 336727 recorded *vide* DD No. 135A concerning one Arvind Tandon (the Petitioner herein), aged 69 years, who was reportedly injured in the incident. The MLC was duly collected, and the injured person was contacted by the Police, who subsequently came to the Police Station and submitted his written complaint.

3.3. During the course of the preliminary enquiry into the matter, the MLC was deposited at the MRD section of Safdarjung Hospital so as to obtain a medical opinion on the nature of injuries. The opinion so received on 16th July, 2025, classified that the injuries suffered by the Petitioner herein were “simple.”

3.4. In view of the PCR call, the subsequent medical opinion, and the facts revealed during preliminary enquiry, it has been concluded that no *prima facie* cognizable offence was made out. Accordingly, a Non-Cognizable Report No. 14/2025 under Section 115(2) of the Bharatiya Nyaya Sanhita, 2023,⁴ was registered on 17th July, 2025.

3.5. During the preliminary enquiry, it was discovered that there exists a long-lasting dispute between the Petitioner and one Dham Singh, involving the subject property located in Harijan Basti, Masoodpur, Vasant Kunj, New Delhi where the fight occurred. In connection with the said dispute, an application being CC No. 59182/2024 titled ***Dham Singh v. Prakashwati Tandon & Ors.*** has been filed before the Judicial Magistrate First Class, Patiala House Courts, New Delhi, which the Court has taken cognizance of,



holding that the complaint *prima facie* discloses the commission of the cognizable offence of forgery. In this regard, the Court has also directed seizure of the alleged original documents of the property in question as well as their examination by FSL, along with collection of specimen signatures.

3.6. Pursuant to the said directions, FIR No. 283/2025 dated 27th June, 2025, under Sections 420 and 34 of the Indian Penal Code, 1860,⁵ has been registered at P.S. Vasant Kunj North against the Petitioner and certain other persons, which is presently under investigation.

4. In light of the above, having considered the submissions of the parties and the material on record, including the Status Report filed by the State, it appears that while the Petitioner alleges police inaction in relation to his complaint dated 26th March, 2025, the police have, after conducting a preliminary enquiry, concluded that no cognizable offence was made out, and accordingly, in this regard, they registered a non-cognizable report under Section 115(2) of the BNS. Moreover, the MLC submitted by the Petitioner has been opined as reflecting “simple” injuries.

5. It emerges from the facts brought out by the State that there is a long-lasting land dispute regarding the subject property, which the Petitioner claims title over, and pursuant to this dispute, enmity is being fostered by the parties against each other. In this regard, on a compliant filed by one Dham Singh and pursuant to order of the jurisdictional Magistrate, an FIR bearing No. 283/2025 under Sections 420 and 34 of IPC has also been registered against the Petitioner.

6. Nonetheless, Petitioner’s grievance relating to inaction on his

⁴ “BNS”

⁵ “IPC”



complaint dated 26th March, 2025, cannot be entertained in the present proceedings. In the opinion of the Court, in light of the judgment of the Supreme Court in *Sakiri Vasu v. State of U.P. & Ors.*⁶, the Petitioner must approach the Court of concerned Jurisdictional Magistrate for any such grievance, before invoking the jurisdiction of this Court under Article 226 of the Constitution.

7. In light of the above, having regard to the aforementioned facts, no directions are required to be passed by this Court in the present case.

8. Dismissed.

SANJEEV NARULA, J

JULY 21, 2025

as

⁶ (2008) 2 SCC 409