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

+ **W.P.(CRL) 1583/2023**

INDRESH TIWARI

.....Petitioner

Through: Mr. R.S. Juneja, Mr. J.S. Juneja and
Mr. Arjun Kumar Ghai, Advocates.

versus

THE STATE OF DELHI AND ORS

.....Respondents

Through: Mr. Rahul Tyagi, ASC for State with
Mr. Sangeet Sibou, Mr. Aniket
Kumar Singh and Mr. Priyansh Raj
Singh Senger, Advocates with ASI
Naushad Haider, PS-Bhajanpura.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

% **17.11.2025**

1. This petition under Article 226 of the Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023¹ (formerly Section 482 of the Code of Criminal Procedure, 1973²) seeks the following reliefs:

“ a.) A writ of mandamus or any other writ, order or directions to the respondent No.1 to handover the investigation either to CBI or any other investigating agency and Respondent No.2 to 6 may kindly be directed to handover the complete record of the case in respect of the death of the deceased namely Ravi Tiwari son of the petitioner whose postmortem was conducted vide Postmortem No. 777/2023.

b.) A writ of Certiorari or any other writ, order or direction in nature of calling record of the case and perused the same that what steps have

¹ “BNSS”

² “Cr.P.C.”



been taken by the respondents for reaching to culprits who have committed murdered of the son of the petitioner.

Any other relief writ, order or direction which may deems fit, just and proper considering the facts and circumstances of the case and in the interest of justice.”

2. The Petitioner alleges that on 14th May, 2023, her son Ravi Tiwari went to the house of one Manju around 12:30 PM to demand money owed to him and also spoke with his servant Suresh and one Raju Jagneshwar during the afternoon. At about 5:02 PM, Manju informed the Petitioner, and shortly thereafter informed her younger son Vishal Tiwari, that Ravi had committed suicide in her house. Upon reaching the premises, Vishal allegedly found Ravi lying dead on the floor with blood coming from his nose. He photographed and videographed the scene, called 112 and an ambulance, and states that prior to the police arriving, Manju allegedly made attempts to remove the body, which he resisted. The police and ambulance then arrived and shifted the body to Jag Parvesh Hospital, where Ravi was formally declared ‘brought dead,’ and thereafter sent to GTB Hospital. The post-mortem was conducted on 15th May, 2023, and the opinion records the cause of death as asphyxia due to antemortem hanging.

3. The State conducted an inquest and have submitted a report under Section 174 Cr.P.C., wherein it is stated that, as per the post-mortem examination, the cause of death was asphyxia resulting from antemortem hanging. Statements of the deceased’s brother, Manju, and several neighbours were recorded. The neighbours did not report having witnessed any quarrel or disturbance at the premises and no foul play was detected.

4. Having regard to the above-noted facts, counsel for the Petitioner states that he be granted liberty to lodge a formal complaint seeking



investigation and, in the event of any police inaction, to avail the remedies available to her under the BNSS/Cr.P.C., including approaching the concerned higher police authorities or the Metropolitan Magistrate.

5. With the above liberties to the Petitioner, the petition is disposed of.
6. The Court has not commented on the merits of the case. All rights and contentions of the parties are left open.

SANJEEV NARULA, J

NOVEMBER 17, 2025

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