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

+ **W.P.(CRL) 1864/2025**

SH. TIKAM SINGH (SENIOR CITIZEN) (DISABLED)

.....Petitioner

Through: Mr. Abhishek Paruthi, Mr. R.A.
Singh, Ms. Alpana Kiran, Mr. Vivek
Singh Somvanshi and Mr. Harsh Raj
Sigh, Advocates.

versus

STATE OF NCT OF DELHI & ORS.Respondents

Through: Mr. Sanjeev Bhandari, ASC for State
with Mr. Arjit Sharma and Ms. Sakshi
Jha, Advocates with Insp. Shyam
Sunder, PS-DIU/Central Distt.
Daryaganj.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

23.09.2025

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1. The present petition was filed seeking directions to transfer the investigation of FIR No. 392/2024 registered under Section 306 of Indian Penal Code, 1860¹ at P.S. Kamla Market, to the Central Bureau of Investigation ('CBI').

2. On 30th May, 2025, this Court passed the following order:

"1. The present petition under Article 226 of the Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023², seeks directions for transfer of investigation of FIR No. 392/2024 under Sections 306 of the Indian Penal Code, 1860³ registered at PS Kamla Market to the CBI, on the grounds that the investigation in the case is not progressing.

2. Mr. Sanjeev Bhandari, ASC for the State, on the other hand, points

¹ "IPC"

² "BNSS"

³ "IPC"



out that despite notice being issued, the Petitioner has not appeared before the Investigating Officer to join the investigation and give their statement.

3. In response, counsel for the Petitioner states that the Petitioner, being a senior citizen aged about 70 years, who is also handicapped, is not able to go to the police station.

4. Accordingly, the Investigating Officer is directed to meet the Petitioner (the Complainant) at his residence next week, to interact with the Petitioner and to record his statement.

5. Issue notice. Mr. Sanjeev Bhandari, ASC for the State, accepts notice.

6. Status report be filed on or before the next date of hearing.

7. Re-notify on 01st August, 2025."

3. In compliance of the aforementioned directions, a status report has been filed, which reads as follows:

"1. That the present Writ Petition has been filed by the Petitioner seeking handover of the investigation of FIR No. 392 of 2024 dated 08.10.2024 registered U/s 306 IPC at P.S. Kamla Market, Delhi to CBI among other reliefs.

2. That the brief facts of the case are that on 24.02.2023, one Ajit Singh Yadav, who is working as a Head Constable in Delhi Police, gave a complaint at Police Station Kamla Market alleging that he came into contact with one Anand Verma ie, the son of the Petitioner through Facebook who later on cheated him on the pretext of getting job for his relative.

3. That during the initial enquiry conducted by Inspr Jagdeep Malik (the then Inspr/Investigation, PS Kamla Market) into the death of deceased Sh Anand Verma, it has been mentioned in the report that in the intervening night of 04/05.03.2023 at about 01.30 AM, HC Ajit Singh came to his barrack in PS Kamla Market alongwith the deceased Anand Verma i.e. son of the complainant through the entry gate (SEM Court side) of the police station building. As per this report. the CCTV footages of the PS building were checked and it was found that on 05.03.2023 at about 3.15 PM, the deceased Anand Verma was seen roaming freely in the corridor of 3rd floor of P.S. Kamla Market building and suddenly he crossed the railing and reached on the 'CHAJJA' of third floor. The staff present on the ground floor at that time noticed him and shouted him to go back from there but he did not pay heed to their request. All of a sudden he got misbalanced/jumped from there and fell on the open court yard at the ground floor of the building. He was rushed to nearby LNJP Hospital where he was declared brought dead by the doctor vide MLC No. 115225727 dated 05.03.2023. Intimation about the death of the son of the petitioner was given to the Ld. Duty Magistrate, Central District, Delhi vide DD No. 864



dated 05.03.2025 PS Kamla Market. Father of the deceased i.e. the petitioner was also informed regarding this incident. The postmortem was got conducted by a Medical Board and after postmortem dead body was handed over to family members of the deceased.

4. That subsequently the petitioner gave a complaint dated 09.03.2023 at P.S. Ranhola as well as a copy to CP/Delhi, DCP/West and Special CP/Vigilance alleging that his son was murdered by HC Ajit Singh Yadav as Ajit Singh Yadav used to exploit his son sexually and financially. The Petitioner had mentioned in his complaint about the obscene messages allegedly sent by HC Ajit Singh Yadav on Facebook messenger page of his deceased son.

5. That on 28.03.2023 Ajit Singh Yadav had given an online vide No. 20803230018011 regarding his fake Facebook ID. The enquiry into this complaint was conducted at Police Station, Cyber, Central Distt. During the enquiry, it was found that the mobile number of deceased Anand Verma were associated with this Facebook account.

6. That it is further stated that on 01.06.2023, Petitioner filed an application U/s 156(3) Cr.P.C before the Court of Ld. M.M., Tis Hazari Courts seeking directions for registration of FIR. The Ld. M.M. called for the Status/Action Taken Report which was duly submitted on 24.06.2023.

7. That vide order dated 01.08.2023 passed by Ld. M.M., Tis Hazari Courts, the complaint of the petitioner was returned with liberty to the petitioner to approach the concerned court as the offence was not found committed in the jurisdiction of Police Station Ranhola. Thereafter, petitioner filed another application under section 156 (3) Cr.P.C on 24.08.2023 before the concerned court and the Ld. Court vide order dated 18.01.2024 directed for registration of FIR on the complaint of the petitioner. HC Ajit Singh Yadav challenged the said order dated 18.01.2024 before the Ld. ASJ, Tis Hazari Courts by way of a Revision Petition No. 17/2024 titled as Ajit Singh Yadav Vs State and Anr on 19.01.2024. Initially the Ld. ASJ, Tis Hazari Courts stayed the operation of the order dated 18.01.2024 vide order dated 19.01.2024. Subsequently the Revision Petition was dismissed by Ld. ASJ, Tis Hazari Courts vide order dated 01.10.2024.

8. That thereafter, in terms of the order dated 01.10.2024 passed by the Ld. ASJ, Tis Hazari Courts, the present FIR No. 392 of 2024 dated 08.10.2024 was registered U/s 306 IPC at P.S. Kamla Market, Delhi.

9. That the present case was initially investigated by the local police but subsequently the investigation of the case was transferred to District Investigation Unit on 15.10.2024. During the course of investigation statements of concerned persons are being recorded. CCTV footages of the place and time of incident which were preserved have been sent to FSL, Rohini and report of FSL is awaited.

10. In compliance of order dated 30.05.2025 passed by this Hon'ble Court, on 04.06.2025, the statement of the Petitioner was recorded u/s 180 BNSS. Furthermore, the Petitioner was asked to provide the mobile phone of the



victim for the purpose of the investigation but the Petitioner had sought some time to provide the same. He was also asked to provide the screenshots and URLs of the messages/posts containing obscene content on the Facebook messenger of deceased son of the Petitioner allegedly sent by HC Ajit Singh Yadav so that the veracity of the same could be checked through the service provider. The same is yet to be provided by the Petitioner.

11. The alleged HC Ajit Singh Yadav was interrogated on 21.07.2025. His mobile phone was taken into police possession on 22.07.2025 and the same is being sent to FSL to obtain the data stored in the same.

12. That the allegations made by the petitioner is wrong and denied. The investigation is being conducted fairly and impartially as per law and result thereof will be placed before the concerned court at the earliest.

13. It is submitted that HC Ajit Singh was also put under suspension for 14 months and departmental enquiry has been initiated.

14. It is further respectfully submitted that the matter with regard to the death of the son of the petitioner is also being enquired into by the Ld. M.M., Tis Hazari Court under section 176 Cr.P.C., and the same is also pending.

15. That it is pertinent to mention that the DCP, Central District, Delhi on 30.07.2025 has constituted a Special Investigating Team [SIT] headed by Additional DCP, Central District, Delhi to further investigate the present case and all efforts would be made to complete investigation by SIT within period of four months.

16. In view the above, the petition may kindly be directed to be disposed of.”

4. As per the aforementioned status report dated 30th July, 2025, the investigation in FIR No. 392/2024 was likely to be concluded within a period of four months. Two months have already elapsed since then. Mr. Sanjeev Bhandari, ASC for the state, on instructions from the Investigating Officer,⁴ confirms that the final report under Section 173 of the Code of Criminal Procedure, 1973⁵ shall be filed within a further period of two months from today.

5. Counsel for the Petitioner, however, submits that the investigation conducted thus far is neither fair nor proper and prays that the investigation

⁴ “IO”

⁵ “Cr.P.C.”



be transferred to the CBI.

6. It is pertinent to note that the DCP, Central District, Delhi, on 30th July, 2025 constituted a Special Investigative Team ('SIT') headed by the Additional DCP, Central District, Delhi, to further investigate the case. Additionally, enquiries are being conducted by the concerned Magistrate, Tis Hazari Courts, under Section 176 Cr.P.C.

7. In *State of West Bengal v. Committee for Protection of Democratic Rights*⁶, the Supreme Court held while the Constitutional Courts have the authority to direct CBI investigations, such directions should be made only in exceptional cases and not routinely on mere allegations against local police.

8. In view of the constitution of the SIT and ongoing Magistrate's enquiries, the Court finds no exceptional reasons to transfer the investigation to the CBI at this stage.

9. Nonetheless, the Court expects that the aforementioned investigation/enquiries currently underway, shall be completed within the timelines specified in the status report, and the outcome of the same shall be intimated to the Petitioner. If the Petitioner remains dissatisfied with the outcome of such enquiries, he shall be at liberty to seek appropriate legal remedies in accordance with law.

10. The petition is disposed of.

SANJEEV NARULA, J

SEPTEMBER 23, 2025

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⁶ 2024 INSC 502