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

+ **W.P.(CRL) 2792/2025 & CRL.M.A. 26282/2025**

GURVINDER KAUR & ANR.

.....Petitioners

Through: Mr. Bijender Singh and Ms. Deeksha
Sharma, Advocates

versus

COMMISSIONER OF POLICE DELHI & ORS.Respondents

Through: Ms. Rupali Bandhopadhyaya, ASC with
Mr. Abhijeet Kumar and Ms. Amisha
Gupta, Advocates for the State

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

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03.09.2025

1. Writ Petition under Article 226 of Constitution of India has been filed with the following prayers:-

“a)issue a writ of certiorari or any other writ thereby quashing/setting aside the bogus impugned Notice dated 26.08.2025, Issued by the Respondent No.5;

b) Issue an appropriate writ, order or direction restraining the Respondents No. 1 and 2 (Delhi Police) from harassing or summoning the Petitioner on the force of a bogus complaint and legally untenable Impugned Notice dated 26.08.2025;

c) Direct the Respondents to refrain from taking any coercive action against the Petitioners based on the complaint made by Respondent No. 3, which is devoid of any merit, jurisdiction, or locus;

d) Direct the Delhi Police to disclose any material or



complaint being acted upon against the Petitioner and provide the Petitioner an opportunity to respond before any further steps are taken;

e) Direct the Respondent No.1 to initiate thorough enquiry into the facts and circumstances leading to the harassment of the Petitioner, and hold its subordinates accountable to law for indulging in abuse of process at the behest of the Private interests.”

2. It is submitted in the Petition itself that the Petitioners alongwith the family had visited the Pompot Restaurant on 03.08.2025, Sector-144, Noida and then ordered food in which he found a cockroach of which a video was prepared. On the next day i.e. 04.08.2025, the same was posted on Instagram. Thereafter, on 23.08.2025 at about 4.30 PM, Petitioner No. 2 received a call on his mobile from Respondent No. 5 regarding the information and was informed that a Complaint has been made against the Petitioners without disclosing any detail.

3. Thereafter, on 25.08.2025, another call was received at 4:30 PM from Respondent No.5 demanding presence at the Police Station in an intimidating tone. On 25.08.2025, at 7:30 PM, three Police personnel in plain clothes arrived at the Petitioners’ residence and demanded his presence at the Police Station and obtained signatures on a written statement. No proper identity was disclosed and no proper Notice was given.

4. On 26.08.2025 at 11:00 AM, the Respondent No.5 made repeated calls which were missed by Petitioner No.2. A return call was made by the Petitioner No. 1 to the Respondent No.5 who threatened him with his business closure and demanded that he be present in-person at Police Station. On the same day, at about 8:00 PM, 03 Police personnels including



Respondent No.5 again visited Petitioners' house demanding Petitioner No.2 to be taken to Police Station. Written Notice with no clear case details, was given after protests from his family.

5. On 27.08.2025, the relatives visited the Police Station to know about the details of the Complaint, but the same was neither disclosed nor shared. Hence, the Petition has been filed with the aforementioned prayers.

6. **Learned ASC for the State**, who has appeared on advance Notice, on instructions from the IO, submits that proper Notice under Section 35 B.N.S.S. shall be served to the Petitioners to join the enquiry.

7. A copy of the Complaint has been provided today to the Counsel for the Petitioners.

8. **Learned counsel for the Petitioners** submits that the Complaint is not even disclosing the name of the Complainant, though this is opposed by learned ASC for the State as not only it is indicated that the Complaint is on behalf of 'Association of the Restaurants', but also three links of videos have been mentioned in the Complaint, by the Petitioners.

9. Furthermore, learned ASC for the State has already submitted that they would be proceedings in accordance with law and the appropriate Notice under Section 35 BNS, 2023 would be given.

Submissions heard.

10. The only grievance of the Petitioner is that he is being asked to appear in the Police Station without any proper Complaint/Notice.

11. In view of the aforesaid submissions, it is hereby impressed that the enquiry/investigations be carried out by the Police in accordance with law.



The Petition alongwith pending Application, is accordingly, disposed of.

NEENA BANSAL KRISHNA, J

SEPTEMBER 3, 2025

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