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

+ **W.P.(CRL) 2833/2025 & CRL.M.A. 26613/2025**

THE SUCCESS IAS AND ORS

.....Petitioners

Through: Mr. Abhay Gupta, Mr. Devesh Maurya and Mr. Saksham Kapoor, Advocates.
Success IAS Director & II Parties in person.

versus

THE GOVERNMENT OF NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Sanjeev Bhandari, ASC with Mr. Arjit Sharma and Ms. Sakshi Jha, Advocates for the State.
Insp. Sandeep Singh, PS: Anti-Corruption Branch.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

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04.09.2025

1. The present petition under Article 226 of the Constitution of India, 1950 read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023¹ seeks, *inter alia*, a direction to the Anti-Corruption Bureau to refrain from taking any coercive steps in relation to FIR No. 38/2025, registered at Police Station, Anti-Corruption Bureau.
2. The aforementioned FIR was registered on 28th August 2025. During the course of investigation, notices have been issued under Sections 94 and

¹ "BNSS"



179 of the BNSS, seeking production of certain documents in the possession of the Department of Welfare (Scheduled Castes, Scheduled Tribes, and Other Backward Classes), Government of NCT of Delhi.

3. In light of the above, the Petitioners have invoked the jurisdiction of this Court under Article 226 of the Constitution of India, seeking the following relief:

“a) Direction for no coercive steps in FIR NO. 38/2025 PS ACB, GNCTD till the time department does not completes their entire investigation and also adheres to the direction given by this Hon'ble Court via previous order dated 20th May 2025, 21st July 2025 & 27th August 2025”

4. The orders referred to in the prayer clause pertain to contempt proceedings initiated by some of the Petitioners in relation to directions previously issued by this Court. Be that as it may, the core relief sought in the present petition is a direction that no coercive steps be taken against the petitioners until the completion of the investigation.

5. The relief sought by the Petitioners, in the considered opinion of this Court, is entirely misconceived. In cases where there is an apprehension of arrest, the appropriate remedy lies in approaching the competent court for bail. Issuing a blanket direction restraining the State from taking any coercive action would effectively amount to a pre-emptive determination that custodial interrogation is not warranted, a relief that cannot be granted at this stage in the present proceedings.

6. It is pertinent to note that the State has not yet formed any opinion regarding the necessity of seeking the custody of any of the Petitioners. Moreover, Mr. Sanjeev Bhandari, ASC for the State, submits that such an assessment can only be made once the Petitioners join the investigation. Mr. Bhandari clarifies that as and when the Petitioners join and cooperate in the



investigation, and furnish the documents that have been requisitioned, the Investigating Officer will then be in a position to decide whether custodial interrogation is warranted.

7. In view of the foregoing, this Court is of the opinion that the relief sought by the Petitioners is untenable. Furthermore, any comments on the merits of the allegations contained in the FIR at this stage would be premature and are not warranted as they may prejudice the rights of either party.

8. In light of the above, the present petition is disposed of, along with pending application.

SANJEEV NARULA, J

SEPTEMBER 4, 2025

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