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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(CRL) 3114/2024, CRL.M.A. 30092/2024 (Exemption),
CRL.M.A.30093/2024 (delay)

PRIYANKA KATARIA

.....Petitioner

Through: Counsel for Petitioner (appearance
not given)

versus

STATE NCT OF DELHI (THROUGH S.H.O.) & ORS...Respondents

Through: Mr. Sanjay Lao (Standing Counsel
(CRL) with Mr. Abhinav Kumar
Arya, Ms. Priyam Agarwal, Mr.
Aryan Sachdeva, Advocates with ASI
Vikram Singh, PS Karawal Nagar

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

17.10.2025

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W.P.(CRL) 3114/2024

1. Writ Petition under Article 226 of the Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023/Section 482 of the Code of Criminal Procedure, 1973, has been filed on behalf of the Petitioner, with the following prayers:-

“It is therefore respectfully that the Hon’ble Court considering the gravity of the facts and circumstances of the case may kindly be pleased to:

- (i) *Call the explanation from the Respondent 1 and 3 alongwith the record and police diary for its scrutiny and examination to find out and determined the irresponsible and bias approach of the Respondent no. 1 and 3, in conducting the*



investigation of the case FIR No. 232/2022 PS Karawal Nagar, Distt. North East Delhi and call the explanation from the Respondent No. 1 and 3 about non arresting of the Respondent no. 4 despite dismissal of the bail Application by this Hon'ble Court vide order dated 05.02.2024, disposing of the bail Application no. 2833/2024;

- (ii) Restrain the Respondent no. 4 by passing appropriate order and directions from continue illegal and frivolous correspondence with the head and administrative authorities of the employees of petitioner i.e. Govt. of U.P. for causing trouble and humiliation to the petitioner with object to damage the service record and services of the petitioner*
- (iii) Any order and directions which this Hon'ble Court may deem fit and proper in favour of the petitioner and against the respondents, to secure justice based on fair and impartial investigation of the case FIR 232/2022 PS Karawal Nagar."*

2. No notice has been issued in the present Writ Petition.
3. The first relief sought by the Petitioner is to call for the explanation of Respondent No. 1 and 3 for not arresting the Respondent No. 4 despite his dismissal of the Bail Application by the Court *vide* Order dated 05.02.2024.
4. The learned Prosecutor, who has appeared on advance notice, submits that even though, the Bail Application was dismissed, the Respondent No. 4 was not arrested as he had joined the investigations on 06.12.2023 while he



has interim protection during the hearing of his Bail Application.

5. It is further submitted that due investigations have been carried out. It has been held in various Judgments of Apex Court and the High Court that arrest may not be made where the circumstances do not justify. No police can be directed to arrest a person especially when according to the IO, the investigations did not merit the arrest.

6. The second prayer made is that the Respondent No. 4 be restrained from continuously having illegal and frivolous correspondence with the head and administrative authorities of the employers of the Petitioner i.e. Government of U.P., which is causing trouble and humiliation to the Petitioner.

7. No directions can be given to restrain a person from having communication with any person. In case, the Petitioner is aggrieved, he is at liberty to approach the appropriate Forum. The Relief cannot be granted in the present Writ Petition.

8. The draft Charge-Sheet is stated to be ready, which is likely to be filed soon in the Court.

9. The Petitioner is at liberty to seek remedy before the learned Trial Court.

10. The Petition is disposed of accordingly. Pending Applications, if any, also stand disposed of.

NEENA BANSAL KRISHNA, J

OCTOBER 17, 2025/RS