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

+ **W.P.(CRL) 3266/2025, CRL.M.A. 29732/2025**

VISHNU

.....Petitioner

Through: Mr. Additya Kapoor, Ms. Shardha
Garg and Mr. Akashdeep Gupta,
Advocates.

versus

STATE GOVT. OF NCT OF DELHI AND ORS.Respondents

Through: Mr. Anand V. Khatri, ASC for State
with Mr. Aditya Khatri, Advocate.
SI Braham Parkash, PS-Sultan Puri.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

08.10.2025

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1. The Petitioner has lodged a complaint with SHO Police Station, Sultanpuri on 3rd September, 2025 followed by another complaint to the Deputy Commissioner of Police, Police Station Sultanpuri on 11th September, 2025. In the said complainants, allegations have been made by the Petitioner against her sister-in-law (Respondent No. 3) accusing her of retaining INR 10,00,000 given as security, unlawfully occupying the Petitioner's property, and extending threats of false implication and harm. The grievance of the Petitioner is that despite submission of the said complaints, no action has been taken and in the above background, the present petition has been filed seeking the the following reliefs:



“a. Appropriate writs, order(s) of mandamus or like nature to direct respondent NO.2. to begin with investigation/register a F.I.R. under appropriate Sections of B.N.S., to collect the evidence, to arrest the respondents, to protect the petitioner and her family members.

b. Grant the protection as respondent no.3 always used to Threat to implicate the petitioners in false criminal cases and also to cause the petitioners grievous harm and even death by engaging local miscreants.

c. Humbly request before the Hon'ble Court to pass an order to expel respondent no. 3 from the House of Petitioners or pass any assurance or security for the suicide threat given by respondent no. 3.”

2. The Court has considered the submissions advanced. The Petitioner has an effective remedy available under Section 175(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023, to approach the concerned Magistrate in case of grievance arising from non-registration of the FIR. In view of the judgment of the Hon'ble Supreme Court in ***Sakiri Vasu v. State of U.P. & Ors.***,¹ the Court is of the opinion that the Petitioner ought to first avail the said statutory remedy before invoking the writ jurisdiction of this Court under Article 226 of the Constitution of India.

3. Accordingly, without going into the merits of the case, the present petition along with pending application is disposed of, with liberty to the Petitioner to approach the concerned Magistrate, if so advised. All rights and contentions of the parties are left open.

SANJEEV NARULA, J

OCTOBER 8, 2025

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¹ (2008) 2 SCC 409.