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

+ **W.P.(CRL) 3483/2024**

VISHAL & ORS.

.....Petitioners

Through: **Mr. Varun Singh & Mr. Pushpendra
Raj Sharma, Advs.**

versus

STATE OF NCT OF DELHI & ORS.

.....Respondents

Through: **Mr. Amol Sinha, ASC (CRL) with
Mr. Kshitiz Garg, Mr. Ashvini Kumar
and Mr. Nitish Dhawan, Advocates for
the State**

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

27.11.2025

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1. Writ Petition under Article 226 of the Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been filed on behalf of the Petitioner seeking directions to the State for registration of an FIR in relation to events which occurred in the intervening night of 02-03.10.2024, against Respondent Nos.2 and 3 and their accomplices of Police Station: Okhla Phase I.

2. Petitioners have asserted that on 02.10.2024 at around 06:30 PM, they were returning from Kalkaji Temple. At about 08:00 PM, they were halted by a Police Patrol under the routine vehicle check. Thereafter, the Police officers forcibly removed the keys of their motorcycle and took them to Police Booth near Sanjay Colony, where they misbehaved with the Petitioner and snatched their phones. On the same day, they were taken from Booth to Police Station: Okhla Phase I, wherein they were sexually assaulted, threatened and humiliated. At midnight, they were taken to ESIC Hospital for medical



checkup. After returning from the Hospital, they were again beaten and threatened throughout the night by the Police.

3. On 03.10.2024, Police denied access to their family members to meet the Petitioners. One of the Petitioner's brother secured their Bail, on same day.

4. On 04.10.2024, they were taken to Jai Prakash Narayan Apex Trauma Centre for medical Check-up and MLC. On 09.10.2024, Petitioners made Complaints to Ministry of Home Affairs, Hon'ble Lieutenant Governor of Delhi and Commissioner of Delhi Police, which were duly served on 10.10.2024. Present Writ Petition seeks registration of FIR on Petitioners' Complainants

5. **Status Report has been filed** on behalf of the State, wherein it is submitted that all the three Petitioners were apprehended by the Police Staff and arrested under 170 B.N.S.S. and *Kalandara*/preventive action under Sections 126/170 B.N.S.S. was taken against them. They were arrested as per law. DD No.18A at 01:37 AM dated 03.10.2024 was duly registered at Police Station: Okhla Industrial Area. They were medically examined at ESIC Hospital and their MLCs were collected. It was found that Vishal and Vishnu had consumed alcohol as per their MLCs.

6. On the same day, i.e. 03.10.2024, they were produced before learned SEM, South East Delhi, where enquiry was made, but they did not level any allegations of beatings by Respondents, as stated in the present Writ Petition. They were released/discharged on the same day.

7. It is further submitted that on the same day, i.e. 03.10.2024 at about 09:30 PM, on receiving information at Police Station: Okhla Industrial Area from JPN Apex Trauma Centre, AIIMS, New Delhi, all three MLCs of the



Petitioners, were collected. During enquiry, it was revealed that all the Petitioners were discharged from the Hospital on the same day. They were tried to be contacted, but they did not give any written Complaint at Police Station: Okhla Industrial Area.

8. Their MLCs revealed that none of the Petitioner had leveled any allegations against the Police officials, as has been alleged in the present Writ Petition. Alleged history was mentioned as “physical assault by seven known people”. It is further submitted that no written Complaint at Police Station: Okhla Industrial Area or to any other senior officer on the same day, had been given. Ultimately, a Complaint dated 22.10.2024, addressed to Commissioner of Delhi Police and other dignitaries was received, which has been forwarded to PG Cell / Vigilance, South East District, which is pending for enquiry.

9. As per the directions of this Court vide Order dated 08.09.2024, CCTV footages of the concerned Police Station on the intervening night of 02-03.10.2024 have been preserved for reference.

10. It is further submitted that officers of M/s Innovative View visited Police Station: Okhla Industrial Area and after inspection, submitted Report dated 06.11.2024 that the ‘surveillance Hard disks’ installed in the NVR were not working and its status was shown ‘abnormal’; currently all CCTV are working with no recordings.

11. Officers of M/s Innovative View again came to Police Station: Okhla Industrial Area and submitted Report dated 16.11.2024 mentioning that four Hard disks of 2 TB have been installed in the system and the recording system is operative w.e.f. 16.11.2024.

12. It is stated that allegations leveled in the present Writ Petition, are baseless.



Submissions heard and record perused.

13. Essentially the grievance of the Petitioners in present Writ Petition is that on their Complaint, no FIR has been registered. However, Cr.P.C. (now B.N.S.S.) gives detailed procedure to be followed by any aggrieved person, in case the FIR is not registered.

14. Petitioners are at liberty to follow the said procedure in accordance with law.

15. No further directions are merited and the Writ Petition along with pending Applications is disposed of.

NEENA BANSAL KRISHNA, J.

NOVEMBER 27, 2025/R