



\$~82

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

+ **W.P.(CRL) 86/2026, CRL.M.A. 788/2026**

ZUBAIR FARIDI

.....Petitioner

Through: Mr. Aditya Aggarwal, Mr. Ankit M.
and Ms. Pooja Roy, Advocates.

versus

THE STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Sanjeev Bhandari, ASC for the
State alongwith Mr. Arjit Sharma and
Ms. Sakshi Jha, Advocates.
SHO Raj Kumar and SI H.R.
Choudhary.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

12.01.2026

%

By way of the present petition filed under Article 226 of the Constitution of India read with section 528 of the Bharatiya Nagarik Suraksha Sanhita 2023 ('BNSS'), the petitioner has made two principal prayers: *one*, that the police be directed to take appropriate action against one Mr. Ishrat Ali @ Nanhe against whom the petitioner has alleged certain offences *inter-alia* *vidé* complaint dated 28.12.2025; and *two*, that the petitioner be granted police protection in view of the threat to his life and liberty at the hands of the said person.



2. In the course of a brief hearing in the matter, Mr. Aditya Aggarwal learned counsel for the petitioner admits that they have not moved an application bearing before the learned Magistrate under section 175(3) of the BNSS seeking registration of an FIR, though they claim that the police had declined to register an FIR on their complaint under section 173 of the BNSS.
3. In view of the law laid down in ***Sakiri Vasu vs. State of Uttar Pradesh & Ors.***,¹ the prayer made by way of the present petition, seeking a direction to the police to take appropriate action on the petitioner's complaint (meaning thereby to register an FIR), is disposed-of, with liberty to the petitioner to approach the jurisdictional Magistrate seeking appropriate relief.
4. Insofar as the prayer for granting police protection is concerned, the said prayer is disposed-of with a direction to the S.H.O., P.S.: Gandhi Nagar, Delhi to furnish to the petitioner his cell phone number, as also the cell phone number of the concerned Beat Constable, who the petitioner may contact in any eventuality.
5. The phone numbers have been handed-over by Mr. Sanjeev Bhandari, learned ASC (Criminal) to counsel for the petitioner in court itself.
6. The petition is disposed-of in the above terms.
7. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

JANUARY 12, 2026/ak

¹ (2008) 2 SCC 409, paras 26 & 27