



\$~59

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

+ W.P.(CRL) 558/2026, CRL.M.A. 5274/2026

AMIT TYAGI

.....Petitioner

Through: Mr. Vikas Gupta, Adv. (through
VC)

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Ms. Rupali Bandhopadhyaya, ASC
alongwith Mr. Abhijeet Kumar and
Ms. Amisha Gupta, Advs. an SI
Ankur Yadav, PS.: AEKL/ Crime
Branch.

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

17.02.2026

%

1. By virtue of the present petition under *Article 226* of the Constitution of India read with *Section 528* of the Bharatiya Nagarik Suraksha Sanhita, 2023 (***BNSS***), the petitioner seeks quashing of the two notices titled “Notice to Join Enquiry” dated 12.01.2026 and 28.01.2026 issued by the respondent to the petitioner.

2. Learned counsel for petitioner submits the aforesaid two notices are *prima facie* arbitrary and non-speaking since they don’t disclose the statutory provision or authority under which they have been issued to the petitioner, as also that it is also unclear if the petitioner is called as a witness or an accused.

3. In reply thereof, learned ASC for the State submits that the prosecution is acting only on the basis of the written complaint filed regarding using of Forged Official Letterhead of MSME, cheating and



forgery, without registering an FIR as yet, there is no reason for mentioning the requisite provision(s) of the Code of Criminal Procedure, 1973 (**Cr.P.C.**) in the said notices.

4. He further submits that a bare perusal of both the notices i.e., “Notice to Join Enquiry” and the content therein clearly reflect that the same are based on a written complaint and the petitioner has been called only for the purpose of enquiry and clarification therein.

5. The relevant extract of both the verbatim notices are as under:

“Through this request letter you are hereby informed that a written complaint regarding using of Forged Official Letterhead of MSME, cheating and Forgery has been filed

For the purpose of enquiry in the said matter and clarification, you are hereby called to join the enquiry at AEKC/Crime Branch, Sunlight Colony, Delhi Police on 14.01.2026 at about 03:00 PM along with Copy of Pan Card and GST no in respect of your above mentioned company”

6. *Prima facie*, this Court finds that the aforesaid two notices issued are self-explanatory inasmuch as no FIR has been registered as of yet and the said notices have been issued only requiring the petitioner to join enquiry wherein certain details are required to be sought from him.

7. As such, in view of the aforesaid, the present petition is itself premature, and there is hardly any merit therein for issuance of notice.

8. Accordingly, the present petition, alongwith the pending application, is dismissed *in limine*.

SAURABH BANERJEE, J

FEBRUARY 17, 2026/bh