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

+ **CRL.M.C. 1914/2026**

ANIL KUMAR HEAD CONSTABLE & ANR.Petitioners

Through: **Mr. Ankkrit Guptha and Mr. Bhavit
Sharma, Advocates**

versus

DCP SOUTH & ANR.Respondents

Through: **Mr. Yudhvair Singh Chauhan, APP
with SI Karan, P.S.-Saket**

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% 16.03.2026

CRL.M.A. 7899/2026 (for exemption)

1. Exemption allowed, subject to all just exceptions.
2. The application stands disposed of.

CRL.M.C. 1914/2026 & CRL.M.A. 7898/2026 (for stay)

3. The petitioners, who are a Head Constable and Constable at the Police Station Malviya Nagar, Delhi, have filed this petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 ["BNSS"], challenging an order dated 12.03.2026, passed by the Family Court, Saket, New Delhi, directing the SHO, PS Saket, to register an FIR against them for filing a false report with regard to execution of a non-bailable warrant.
4. I have heard Mr. Ankkrit Guptha, learned counsel for the petitioners, and Mr. Yudhvair Singh Chauhan, learned Additional Public



Prosecutor for the State.

5. The proceedings before the Family Court [Ex. Crl. 72/2024] were in respect of execution of an order of maintenance in favour of the decree holder-wife against the judgment debtor-husband. Non-bailable warrants had been issued against the judgment debtor.

6. By an order dated 12.03.2026, the Family Court noted the report filed by the petitioner No.1 herein, which stated that the judgment debtor's mother had informed him that the judgment debtor had gone to Aligarh, and that she would inform him about the warrant as soon as he returned. The decree holder, however, submitted that the judgment debtor was, in fact, arrested by the police on 10.03.2026, and thereafter was allowed to go. On the direction of the Family Court, the decree holder also filed an affidavit to this effect. The judgment debtor and his mother, thereafter, appeared, and the statement of the mother of the judgment debtor was recorded. She stated that on 10.03.2026, petitioner No. 2 called her on the mobile phone and asked her to send the judgment debtor to the police chowki. She further stated that the judgment debtor accordingly went to the police chowki, was later released on the same day, upon an undertaking to appear before the Family Court on 12.03.2026.

7. In view of the affidavit of the decree holder and the statement of the mother of the judgment debtor, the Family Court observed that the petitioner No. 1 herein had given a false report with regard to execution of the warrant against the judgment debtor, and that petitioner No. 2 was also involved in the illegal act of detaining the judgment debtor on 10.03.2026 and letting him go without producing him before the Court.



The Court, therefore, found that the facts reveal commission of the offences under Sections 212, 256 and 259 of the Bharatiya Nyaya Sanhita, 2023, by the petitioners herein, and accordingly directed registration of FIR against them within three days of receipt of the order.

8. Mr. Chauhan submits that, although a compliance report was to be filed before the Family Court today, the matter has been submitted for legal opinion, and the Family Court has adjourned the proceedings for 23.03.2026. He also submits that the CCTV footage at the police chowki is being looked into, to verify the allegation of the decree holder and the judgment debtor's mother.

9. Having regard to the aforesaid facts, Mr. Gupta submits that the petitioners would be satisfied with an order directing that an FIR may be registered in terms of the said order, if so required, after compliance of provisions of BNSS.

10. Mr. Chauhan states that the SHO will ensure that FIR is registered, if required, after compliance of the necessary procedures under BNSS, and the compliance report will be filed before the Family Court before the next date of hearing, i.e. 23.03.2026.

11. The petition is, therefore, disposed of in terms of the above submissions. However, it is directed that the matter be brought to the attention of the Deputy Commissioner of Police, South, to ensure that necessary action is taken, and a proper compliance report is filed before the Family Court, in accordance with law.

12. This Court has not made any observation on the merits of the case and all rights and contentions of the parties arising therefrom are reserved.



13. A copy of the order be given *dasti* under the signatures of the Court Master.

PRATEEK JALAN, J

MARCH 16, 2026/Dy/AD/