



\$~99

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

+ **W.P.(CRL) 1104/2026**

ZUBAIR FARIDI

.....Petitioner

Through: Mr. Aditya Aggarwal with Mr. Ankit
Mutreja, Advocates.

versus

THE STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Sanjeev Bhandari, ASC for the
State with Mr. Arjit Sharma and Ms.
Sakshi Jha, Advocates.
SI Harish Choudhary with Insp.
Dharmendra Kumar, P.S.: Gandhi
Nagar.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

%

06.04.2026

CRL.M.A. 10394/2026

Exemption granted, subject to just exceptions.

The application stands disposed of.

W.P.(CRL) 1104/2026

By way of the present petition filed under section 528 of the Bharatiya Nagarik Suraksha Sanhita 2023, the petitioner seeks direction to the learned Magistrate to dispose of Ct. Case No. 74/2026 in compliance of the guidelines in *Lalita Kumari vs. Government of Uttar Pradesh & Ors.*¹

2. Mr. Aditya Aggarwal, learned counsel for the petitioner submits, that *vide* order dated 12.01.2026, this court had disposed-of a writ petition filed by the petitioner in view of the decision of the Supreme Court in

¹ (2014) 2 SCC 1



Sakiri Vasu vs. State of Uttar Pradesh & Ors.,² granting to the petitioner the liberty to approach the jurisdictional Magistrate seeking appropriate relief, namely of registration of an FIR.

3. Mr. Aggarwal submits, that the petitioner did move such application which has been pending consideration before the learned Magistrate ever since. He submits that the learned Magistrate has however granted to the Investigating officer ('I.O.') further time; and that subsequently the I.O. has filed an Action Taken Report dated 16.03.2026 before the learned Magistrate, whereupon *vide* order dated 17.03.2026 the learned Magistrate has granted to the I.O. further time to conclude the inquiry and file a detailed status report. The next date before the learned Magistrate is stated to be 01.06.2026.
4. Mr. Aggarwal argues that in light of the verdict of the Supreme Court in *Lalita Kumari* (supra) no inquiry is required once the allegation discloses the commission of a cognizable offence.
5. Mr. Agarwal states that the Whatsapp chats, copies whereof have been appended with the petitioner as Annexure P3 and P6, clearly disclose the commission of a cognizable offence.
6. Be that as it may, considering the material on record, and the fact that the application under section 156(3) of the Code of Criminal Procedure 1973, is still pending consideration before the learned Magistrate, the present petition is disposed-of directing the learned Magistrate to dispose-of the pending application expeditiously and in any event

² (2008) 2 SCC 409, paras 26 & 27



within 01 month of the next date of hearing before that court *namely* 01.06.2026.

7. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

APRIL 6, 2026
ds