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

+ **W.P.(C) 14630/2023**

SONU

.....Petitioner

Through: Mr. Nishu Kajaria, Advocate.
(through VC)

versus

GOVERNMENT OF NCT OF DELHI & ORS.

.....Respondents

Through: Mr. Ankur Mittal CGSC with
Mr. Hrithik Saxena, Advocate for R-2
and 3 along with Mr. Kamal Sharma,
SI, Maidan Gari

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

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26.02.2026

1. The instant petition is for the following reliefs:-

“a) Issue a writ of mandamus or certiorari thereby for issuing necessary directions to the respondent No.1 to 3 to take necessary action against the respondent No.4 for arresting /detaining /restraining the petitioner illegally and putting him in lock-up illegally; and

b) Issue directions to the respondent No. 1 to 3 to pay compensation of Rs.5,00,000/- to the petitioner for his illegal arrest/detention / restraintment of the petitioner at the hands of the respondent No.4 and the amount so awarded ordered to be recovered from the salary of the respondent No.4

c) Pass any other further order(s) which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case, in the interest of justice.”

2. The facts of the case would indicate that on 04.09.2023 the petitioner was allegedly wrongfully and illegally arrested /detained /restrained by respondent no. 4 when he was stopped in front of the P.P Bhati Mines. The



petitioner was put in a lock-up for about 2 hours and he was released from the lock-up only when a call at 112 was made by his brother. Thereafter, on 05.09.2023, the petitioner went to the SHO of P.S. Maidan Garhi to lodge a complaint against respondent No.4 but he was made to run till 17.09.2023. On 18.09.2023, the petitioner further submits that he made a complaint to respondent No. 3 and the National Human Right Commission, against his illegal arrest.

3. The status report filed by the respondent is placed on record.
4. On 08.11.2023, the Court directed for an enquiry. The conclusion thereof is extracted as under:-

“Conclusion:-

On 04.09.2023 at about 10.30 Pm ASI Sandeep received information from public person Dalip that some people are quarrelling outside the house of Parsaram and his son Ashok at Jhanda Chowk. On receipt of information ASI Sheeshram along with HC Babulal visited to the spot. There he found a gathering of few people outside the house of Parsaram. On the information of Parsaram and his son Ashok IO/ASI Sheeshram brought 12 people including Sonu Kumar in the police post at about 11 pm. They were brought to the police post and allowed to sit in Duty Officer room to record their version. There is no lock up in the police post. When they were brought in the police post many people including their relatives and other local residents also arrived at police post. As per the version of local police when some people forcible attempted to enter Duty officer room, HC Shriram immediately closed the door from inside. There in the police post some people were shouting on the opponent party as well police. Police tried to sent them out of police post. This fact can be seen in the available video footage. No material evidence has come on record to prove that complainant Sonu Kumar was subjected to torture in lock up by HC Shri Ram under the influence of liquor. Moreover, complaint Sonu Kumar could not produce any medical paper in support of allegations of beating.

Efforts were made to collect CCTV footage of the incident installed in police post but no CCTV footage could be found available. It has been clarified by police that due to frequent voltage fluctuation and damage of CCTV wire by monkeys no date of dated 04.09.2023 is available. No dedicated technical hand is deployed in the police post for the monitoring



of CCTV cameras. As per available information CCTV cameras were also not functional on dated 3, 7, 9, 16, 17, 18, 22, 27 in the month of August 2023 and on dated 3, 4, 5, 6, 7, 8, 12, 13, 14, 15, 19, 20, 25, 26, 27, 28, 29, 30 in the month of September 2023. All the 12 people including Sonu Kumar were relieved from the police post at about 12 o'clock night when they settled their matter amicable and did not ask for legal action. A joint written statement of all the 12 people who were brought in the police post has been taken on record to prove their visit and release from police post. In the enquiry no one has provided accurate details of time about their arrival and discharge from the police post. However it cannot be denied that these 12 people were called in police post and questioned for about one hour. No GD has been lodged about the examination of 12 people as private CCTNS operator forgot to lodge it and IO/ASI Sheeshram did not ensure lodging of GD in PS. No complaint of Sh. Sonu Kumar against HC Shri Ram was received in police station as confirmed by SHO PS Maidan Garhi. In a nutshell bases upon the enquiry conducted so far and material placed on file allegation of illegal detention and torture by HC Shri Ram could not be substantiate."

5. It thus appears that the situation which had arisen required the concerned 12 people to be taken to the police station. After conducting the requisite inquiry, all 12 were, thereafter, relieved. It is thus seen that the action of the police does not *prima facie* indicate the violation of any of the fundamental rights of the petitioner.

6. If the petitioner, however, has any other grievance, he will have to lead necessary evidence and depending upon the same, the Court will have to attribute the responsibility, if any. Under this jurisdiction, the aforesaid exercise may not be appropriately conducted.

7. In view of the aforesaid and reserving the liberty in favour of the petitioner to take appropriate remedy in accordance with law, the instant petition stands disposed of.

PURUSHAINDR KUMAR KAURAV, J

FEBRUARY 26, 2026

Nc/ksr