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

\# **CNR No. DLHC010482712026**

\+ W.P.(CRL) 3160/2026

RAJNISH SRIVASATAVA .....Petitioner

Through: Petitioner-in-person.

versus

UNION OF INDIA & ORS. .....Respondents

Through: Mr. Anand V. Khatri, SC for State.
Insp. Gajendra Singh, DIU/NWD Delhi.
Mr. Premtosh K. Mishra, SPP, CBI with Mr. Krish Bhatia, Advocate.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

O R D E R

% 02.11.2026

1. The Petitioner is the complainant in FIR No. 350/2019 registered at P.S. Subhash Place under Sections 342/384 of the Indian Penal Code, 1860 ["IPC"]. He is aggrieved by the closure report filed in the said FIR. He seeks issuance of a writ of *certiorari* for quashing the closure report and a writ of *mandamus* directing transfer of the investigation to the Central Bureau of Investigation ["CBI"] or, alternatively, to a Special Investigation Team ["SIT"] constituted under the supervision of this Court. He further seeks directions for a fresh investigation, uninfluenced by the earlier investigation, and, *inter alia*, for production of relevant vigilance, National Human Rights Commission ["NHRC"] and departmental records and preservation of material evidence.

2. At the outset, it is noted that the Petitioner has already availed the remedy of filing a protest petition against the closure report before the

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concerned Trial Court. The said protest petition is pending consideration and is listed on 28th November, 2026. In the opinion of this Court, the Petitioner must first exhaust the remedy already availed before the Trial Court and await its decision on the protest petition. At the stage of consideration of the closure report and the protest petition, the Trial Court is empowered to examine the material collected during investigation and, if warranted, direct further investigation in accordance with law. Any examination by this Court, at this stage, of the merits of the investigation or the grounds urged by the Petitioner to assail the closure report would risk prejudging the issues pending consideration before the Trial Court.

3. In view of the aforesaid, this Court does not consider it appropriate to exercise its jurisdiction under Article 226 of the Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023. The prayers seeking *inter alia* quashing of the closure report, transfer of investigation to the CBI or an SIT and consequential directions are, accordingly, not being examined at this stage.

4. The Petitioner is at liberty to pursue the remedies available to him in accordance with law, including before the Trial Court in the pending protest petition.

5. The present petition is, accordingly, disposed of.

6. Needless to state, the Trial Court shall consider the protest petition independently and in accordance with law, uninfluenced by any observations made herein.

SANJEEV NARULA, J

NOVEMBER 2, 2026/*hc*

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