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

\# **CNR No. DLHC010508242026**

\+ W.P.(CRL) 3322/2026 & CRL.M.A. 33186-33187/2026

X .....Petitioner

Through: Mr. Somnath Bharti and Ms. Kashish Aggarwal, Advocates for Complainant.

versus

STATE NCT OF DELHI & ORS. .....Respondents

Through: Mr. Sanjay Lao, Senior Advocate with Mr. Yudhvir Singh Chauhan, APP for State, Mr. Abhinav Kr. Arya and Mr. Aryan Sachdeva, Advocates.
Mr. Amol Sinha, ASC for State with Mr. Kshitiz Garg, Mr. Ashvini Kumar, Mr. Nitish Dhawan and Mr. Gourav Singh, Advocates.
S.I. Narendra Kumar, P.S. Maidan Garhi.
Mr. Amit Tiwari, CGSC with Ms. Ayushi Srivastava, Mr. Arpan Narwal, Mr. Kushagra Malik and Mr. Ujjwal Tyagi, Advocates for FRRO.
Mr. Atul Guleria, SPP, CBI with Mr. Aryan Rakesh and Mr. Vivek Maurya, Advocates for CBI.
Mr. Harsh Prabhakar, Mr. Dhruv Chaudhary, Mr. V. Singh, Ms. Sakshi Gupta and Mr. Harsh Bhadana, Advocates for DSLSA.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

O R D E R

% 02.11.2026

1. On 16th October, 2026, this Court passed the following order:

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"1. The Petitioner, aged 24 years, states that she is a citizen of the Republic of Uzbekistan. She alleges that she was trafficked from Pattaya, Thailand, to India in 2025-2026 and sold by her Thailand-based controller to a person referred to as "Liza". She further alleges that she was thereafter kept in Delhi, where her passport and belongings were withheld.

2. The Petitioner states that she approached P.S. Maidan Garhi with a complaint setting out the aforesaid allegations. As no FIR was registered, she approached the concerned Magistrate under Section 175(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023 ["BNSS"]. However, no direction for registration of an FIR was issued. Aggrieved by the continued failure to register an FIR, the Petitioner has approached this Court by way of the present petition under Article 226 of the Constitution of India read with Section 528 BNSS.

3. Mr. Sanjay Lao, Senior Counsel appearing on behalf of the State, submits that he received instructions from the concerned Deputy Commissioner of Police that an FIR shall be registered today itself, after recording the statement of the Complainant.

4. In view of the above statement, the Petitioner is directed to appear before the SHO, P.S. Maidan Garhi, today at 05:00 P.M. The concerned authorities shall take the necessary steps in terms of the statement made by Mr. Lao on behalf of the State.

5. Issue notice. Mr. Amol Sinha, ASC for the State, and Mr. Amit Tiwari, CGSC for FRRO, accept notice.

6. Let Status Report be filed before the next date of hearing, setting out the steps taken pursuant to the statement made before this Court, including the registration of the FIR and the action taken thereafter.

7. Issue notice to the other Respondents by all permissible modes, upon filing of process fee, returnable on the next date of hearing.

8. Re-notify on 2nd November, 2026."

2. Pursuant to the aforesaid order, the State has filed a Status Report confirming that FIR No. 358/2026 dated 16th October, 2026, has been registered at P.S. Maidan Garhi, under Section 5 of the Immoral Traffic (Prevention) Act, 1956 ["ITP Act"], on the basis of the Petitioner's complaint. The investigation has commenced in accordance with law. The Status Report further records that Sections 3 and 4 of the ITP Act and Sections 113(2) and 144(2) of the Bharatiya Nyaya Sanhita, 2023 ["BNS"], have subsequently been added to the FIR.

3. The Status Report further discloses that two accused persons, namely,

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Malyakuova Mekhriniso @ Lisa and Dunya Khan, have been arrested during the investigation. Significantly, the Petitioner's original passport has also been recovered from the possession of accused Malyakuova Mekhriniso @ Lisa and taken into police possession in accordance with law. The statement of the Petitioner has also been recorded under Section 183 BNSS before the Judicial Magistrate First Class, Saket Courts, with the assistance of an Uzbek language interpreter. The Investigating Agency has further obtained the Call Detail Records and Customer Application Forms of the arrested accused and other persons, which are being examined as part of the ongoing investigation.

4. In view of the aforesaid developments, particularly the registration of the FIR, the arrests made and the recovery of the Petitioner's passport, the immediate grievance which led to the institution of the present petition stands substantially addressed. The investigation is now underway, and the remaining aspects of the allegations are required to be examined by the Investigating Agency, in accordance with law. In these circumstances, no further directions are warranted in the present proceedings.

5. At this stage, Mr. Somnath Bharti, counsel for the Petitioner, requests that the passport recovered by the Police be handed over to the Petitioner. Given that the FIR already stands registered and the passport has been seized during the investigation, any request for its release or return must be pursued before the Trial Court. In this regard, Mr. Bharti submits that an application seeking return of the passport has already been filed before the Trial Court and is listed for consideration on 18th November, 2026. This Court refrains from expressing any opinion on the merits of the said request.

6. Separately, Mr. Amit Tiwari, CGSC appearing for the FRRO, states,

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on instructions, that upon verification of the immigration and visa records maintained by the Bureau of Immigration in respect of the Petitioner's Uzbekistani passport, no record pertaining to her visa or arrival/departure from India could be traced. He further submits that, in view thereof, the FRRO considers it safe to presume that the Petitioner entered India through an illegal route, in violation of Section 21 of the Immigration and Foreigners Act, 2025. The question of the Petitioner's immigration status is left open to be examined by the competent authorities in accordance with law. This Court expresses no opinion thereon.

7. In view of the above, the present petition is disposed of.

8. Needless to state, the Petitioner shall remain at liberty to avail such remedies as may be available to her in law in respect of any further grievance concerning the investigation or the custody of her passport.

SANJEEV NARULA, J

NOVEMBER 2, 2026/*hc*

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