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

% ***Date of Decision : 05.11.2026***

\# **CNR No. DLHC010536742026**

\+ **W.P.(CRL) 3472/2026, Crl.M.A.34919/2026**

PRIYANKA BINDLISH SINGHAL .....Petitioner

Through: Mr. Deepak K. Bansal, Ms. Yogita Bansal, Ms. Priyanka, Advs. along with Petitioner- In Person

versus

STATE (NCT OF DELHI) .....Respondent

Through: Ms. Rupali Bandhopadhya (ASC) along with Mr. Abhijeet Kumar, Adv. SI Sonika Chaudhary (P.S. Pandav Nagar)

CORAM:
HON'BLE MR. JUSTICE SACHIN DATTA

SACHIN DATTA, J. (*ORAL*)

1. By way of the present petition filed under Article 226 of the Constitution read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (*pari materia* to Section 482 of the Code of Criminal Procedure, 1973), the petitioner, who is the complainant in FIR No. 154/2019, dated 23.04.2019, registered at P.S. Pandav Nagar, East Delhi, under Sections 420/468/471/34 of the Indian Penal Code, 1860, seeks a direction that the investigation be personally reviewed and effectively supervised by the DCP, East District, so that outstanding material investigative steps are taken and the investigation is brought to an expeditious and lawful conclusion.

2. It is noticed that the petitioner's application for monitoring the investigation, stated to be filed in December 2023, has been pending before

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the trial Court.

3. On 30.01.2024, the learned Magistrate issued notice to the Station House Officer (SHO) to ensure filing of the Action Taken Report (hereinafter "*ATR*") and the appearance of the Investigating Officer (IO) with the police file. The said order reads as under:

> "*IO absent.*
> *No status report received.*
> *Issue notice to SHO concerned to ensure filing of ATR on 14.02.2024 and appearance of IO with police file.*
> *Copy of this order be sent alongwith notice.*"

4. On 07.03.2025, *i.e.*, after more than a year, an interim ATR was filed, and further time was sought for filing the final ATR. Thereafter, *vide* order dated 10.07.2025, the following was directed:

> "*Parcha yadasht of judicial file today. Ahlmad to trace out the same on next date.*
> *Interim status report has been filed by the IO concerned, seeking more time.*
> *Interim ATR copy has been supplied to the complainant.*
> *This is the monitoring application filed by the complainant stating that no investigation has been done since last 6 years after registration of FIR.*
> *The replied filed by the IO also shows that no investigation has been done in the present matter by the IO concerned in last 6 years. It appears that IO concerned is not interested in investigating the present matter.*
> *Even the SHO concerned has forwarded the present status report without any noting and direction to the IO to conduct the investigation.*
> *With this observation, I deem fit to issue notice to ACP concerned and SHO concerned to appear in person along with IO and police file and file a detailed written report alongwith the documents, and investigation yet to be done and investigation done till date.*
> *Today also IO is absent.*"

5. On 01.08.2025, certain further directions were issued by the

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concerned Court. The order of the said date reads as under:

> *"Stage: This is the monitoring application filed by the complainant stating that no investigation has been done since last 6 years after registration of FIR.*
> *Proceedings: Interim status report has been filed by the IO concerned, seeking more time.*
> *- Interim ATR copy has been supplied to the complainant. The replies filed by the IO also shows that no investigation has been done in the present matter by the IO concerned in last 6 years.*
> *- The SHO and the IO had appeared stating that the bank officials have not respondent by supplying the documents of re-activation of the bank account, which is through the application of the accused as per the complaint of the complainant. Other documents have already been received.*
> *- Ld. counsel for the complainant has vehemently objected on the delay of the police mechanism as no steps have been taken by the police officials for collection of sample handwriting of the accused person and the complainant for preserving the same and for purpose of forensic. He has also stated that the police officials have not issued warrants for compliance from the bank despite the bank officials himself being a suspect.*
> *Order: Having perused the record, following directions are made:*
> *- The IO is directed to take appropriate steps to take sample handwriting and signature of all the accused persons suspected in the allegations and also of the complainant.*
> *- IO is also directed to collate the list of documents already received from the bank and documents not received from the bank and take appropriate coercive action to seek documents from the bank.*
> *- The IO is also directed to take appropriate action for investigation in the role of alleged bank official, if any.*
> *- The IO is also directed to file written compliance and filed written status report with respect to preparation of material for the purpose of forwarding the same for FSL.*
> *- The IO has to clearly write the report, if there is any non-compliance of all the directions.*
> *- The IO is also directed to collect the evidence by way of examining the complainant and other witnesses from the bank and record their statements under Section 161 Cr.P.C. In case, the same is not done, written compliance report shall be given to this*

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court to explain what prevented the IO in doing so.
- This is last opportunity granted to the IO and SHO concerned to investigate in the present matter, failing which appropriate order will be passed seeking compliance from the higher authority."

6. Finally, *vide* a detailed order dated 17.02.2026, the learned Magistrate requested the ACP concerned to review the file, call for an explanation of the delay and specific reports on the bank investigation, forensic examination, and recovery. The said order reads as under:

"*1. This is an application seeking monitoring of the investigation in FIR No. 154/2019. An interim status report has been filed on behalf of the IO seeking more time.*
2. Ld. Counsel for the complainant has expressed serious grievance that despite the lapse of nearly seven years since the registration of the FIR, the investigation remains inconclusive. It is submitted that neither has any recovery been effected, nor has the custodial interrogation of the accused been deemed necessary by the IO. Ld. Counsel relies upon the mandate of the Hon'ble Supreme Court in Sakiri Vasu Vs. State of U.P. & Ors. (2008) 2 SCC 409, specifically paras 17, 18 & 24, and Sudhir Bhaskarrao Tambe Vs. Hemant Yashwant Dhage & Ors., urging this Court to exercise its powers to ensure a proper investigation.
3. Perusal of the record reveals that the investigation appears to be moving at a snail's pace. The reply filed by the IO is conspicuously silent on material aspects, specifically regarding the examination of bank witnesses and the collection of evidence related to the dormant account. Furthermore, while the IO states that the complainant did not provide specimen signatures, it is noted that the IO has not resorted to the procedure prescribed under Section 311A Cr.P.C. or sought the leave of the Court to obtain such signatures in accordance with law.
4. It is settled law that while this Court cannot interfere with the manner of investigation or direct the police to arrest a specific person or file a charge sheet in a particular manner, the Magistrate is the guardian of the investigation and has the duty to ensure that the investigation is fair, proper, and not a mere formality. The inordinate delay of 7 years in a matter of this nature requires justification.
5. In light of the above, and to ensure that the investigation is

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brought to a logical conclusion expeditiously, the following directions are issued to the ACP concerned (Pandav Nagar/East) and the SHO, P.S. Pandav Nagar:

(a) Liberty to Appoint Additional IO: The ACP concerned is requested to personally review the case file. Considering the vintage of the case and the volume of pending investigation, the ACP is at liberty to appoint an additional IO or constitute a dedicated team to assist the present IO, if deemed necessary, to facilitate a speedy and professional investigation.

(b) Report on Delay & Non-Filing of Charge Sheet: The ACP/SHO shall file a detailed written explanation on the next date of hearing, clarifying the specific reasons for the delay of over 6 years in concluding the investigation. The report must specifically address what impediments, if any, are preventing the filing of the Final Report/Charge Sheet.

(c) Status of Bank Investigation: The IO is directed to file a specific status report detailing the steps taken regarding the "dormant account." The report must clarify:

Whether the re-opening form and other relevant documents have been seized and sent to the FSL. (The current report only mentions the account opening form).

Why the statements of relevant bank officials have not been recorded u/s 161 Cr.P.C. to date.

(d) Aspect of Recovery: The IO shall explain in the status report what efforts have been made regarding the recovery of the case property (money and jewellery) and if no recovery has been effected, the reasons for the same must be elucidated.

(e) Specimen Signatures: If the specimen signatures of the complainant are required for the purpose of investigation, the IO is directed to move an appropriate application before the Court to obtain the same in accordance with the law, ensuring the sanctity of the process.

6. The IO is directed to appear in person on the next date of hearing along with the complete police file (CD) and the Specific Status Report answering the queries raised above.

7. Let a copy of this order be sent to the ACP (East) and SHO P.S. Pandav Nagar for necessary compliance and supervision."

7. The legal position is well settled that where proper investigation is not being done, the remedy lies before the concerned Magistrate. With regard to

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this, a reference may be made to the decision of the Supreme Court in ***Sakiri Vasu v. State of U.P.*, (2008) 2 SCC 409**, wherein it was observed as under:

> "*11. In this connection we would like to state that if a person has a grievance that the police station is not registering his FIR under Section 154 CrPC, then he can approach the Superintendent of Police under Section 154(3) CrPC by an application in writing. Even if that does not yield any satisfactory result in the sense that either the FIR is still not registered, or that* ***even after registering it no proper investigation is held, it is open to the aggrieved person to file an application under Section 156(3) CrPC before the learned Magistrate concerned.*** *If such an application under Section 156(3) is filed before the Magistrate, the Magistrate can direct the FIR to be registered and* ***also can direct a proper investigation to be made, in a case where, according to the aggrieved person, no proper investigation was made. The Magistrate can also under the same provision monitor the investigation to ensure a proper investigation.***
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> ***
>
> *13. The same view was taken by this Court in Dilawar Singh v. State of Delhi [(2007) 12 SCC 641 : JT (2007) 10 SC 585] (JT vide para 17). We would further clarify that even if an FIR has been registered and* ***even if the police has made the investigation, or is actually making the investigation, which the aggrieved person feels is not proper, such a person can approach the Magistrate under Section 156(3) CrPC, and if the Magistrate is satisfied he can order a proper investigation and take other suitable steps and pass such order(s) as he thinks necessary for ensuring a proper investigation. All these powers a Magistrate enjoys under Section 156(3) CrPC.***
>
> ***
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> *15.* ***Section 156(3) provides for a check by the Magistrate on the police performing its duties under Chapter XII CrPC. In cases where the Magistrate finds that the police has not done its duty of investigating the case at all, or has not done it satisfactorily, he can issue a direction to the police to do the investigation properly, and can monitor the same.***
>
> ***
>
> *17.* ***In our opinion Section 156(3) CrPC is wide enough to include all such powers in a Magistrate which are necessary for ensuring a proper investigation, and it includes the power*** *to order*

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> *registration of an FIR and* ***of ordering a proper investigation if the Magistrate is satisfied that a proper investigation has not been done, or is not being done by the police. Section 156(3) CrPC, though briefly worded, in our opinion, is very wide and it will include all such incidental powers as are necessary for ensuring a proper investigation.***
>
> ***
>
> *24. In view of the abovementioned legal position, we are of the view that although Section 156(3) is very briefly worded,* ***there is an implied power in the Magistrate under Section 156(3) CrPC to order registration of a criminal offence and/or to direct the officer in charge of the police station concerned to hold a proper investigation and take all such necessary steps that may be necessary for ensuring a proper investigation including monitoring the same.*** *Even though these powers have not been expressly mentioned in Section 156(3) CrPC, we are of the opinion that they are implied in the above provision.*"
>
> (emphasis supplied)

8. In the instant case, the learned Magistrate is already seized of the petitioner's application and has issued detailed directions as noticed aforesaid. The grievance of the petitioner is that those directions are not being complied with. It would be apposite to make reference to the Supreme Court's decision in ***Robert Lalchungnunga Chongthu v. State of Bihar,*** **2025 SCC OnLine SC 2511**, wherein the Court observed as under:

> "*14.3. Just recently, a bench of three Judges of this Court in Sovaran Singh Prajapati v. State of U.P., (including one of us, Sanjay Karol J.)* ***after considering number of pronouncements, culled out the features of fair trial. The third point mentioned therein is important here. It reads, "Process of investigation and trial must be completed with promptitude.****"."*
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> (emphasis supplied)

9. Further, the Supreme Court in ***Sahil Abdulsattar Mansuri v. Safimahamad Fafirbhai Mansuri,*** **2026 SCC OnLine SC 1073**, noted as

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follows:

> "*12. In the present factual matrix, nearly two decades have passed since the initiation of the complaint by the original complainant. However, it is a matter of serious concern that despite the lapse of such an inordinate period of time the investigation is yet to reach any meaningful conclusion. From a bare perusal of the record, it is evident that the original complainant had run from pillar to post, for filing of a chargesheet in connection with his complaint, but to no avail.*
>
> *13.* ***This Court is of the view that it is incumbent upon constitutional courts to not remain mute spectators, when such prolonged investigations are brought to its notice. Therefore, in such peculiar circumstances, the High Court ought to have exercised its extraordinary jurisdiction to intervene in the present matter.***"
>
> (emphasis supplied)

10. Considering that the FIR has been under investigation since 2019, the following directions are issued in aid of the proceedings before the learned Magistrate:

a) The DCP (East-District) shall review and supervise the investigation in FIR No. 154/2019, dated 23.04.2019, registered at P.S. Pandav Nagar, East Delhi, and ensure compliance with the order dated 17.07.2026 and other orders that may be passed by the learned Magistrate; and

b) The learned Magistrate shall take up the petitioner's application on the date fixed and pass appropriate orders.

11. The petitioner shall be at liberty to approach this Court if the aforesaid directions are not complied with.

12. The petition, along with the pending application, is disposed of in the above terms.

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13. Order ***Dasti***.

SACHIN DATTA, J

NOVEMBER 5, 2026/*uk/vk*

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