



\$~74

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 13989/2025, CM APPL. 61355/2025 & CM APPL. 61414/2025

ANADISH KUMAR PAL

.....Petitioner

Through: Mr. Prasanna S. and Ms. Mythili S.
Advs.

versus

NATIONAL HUMAN RIGHTS COMMISSIONRespondent
Through: None.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

%

19.01.2026

1. The petitioner makes a solitary/primary grievance that the complaint by the NHRC has been closed without affording him the opportunity of hearing.
2. The petitioner had approached the National Human Rights Commission ['NHRC'] owing to an incident which had occurred on 10.05.2022, where, the petitioner opposed the stationing of guards by Resident Welfare Association of Vaishali's ['RWA'], due to safety concerns for his daughter.
3. Following the purportedly false complaint by RWA, the petitioner alleges that he was physically abused in public by Sh. Mukesh Kumar, SHO of Maurya Enclave Police Station. He was forcefully taken into custody and



was subjected to physical and verbal torture resulting in losing his consciousness.

4. It is the case of the petitioner that the petitioner's release was ordered the following day by the Special Executive Magistrate for lack of grounds regarding a breach of peace. The petitioner asserts that the police manipulated his initial MLC at BSA Hospital to hide his injuries. Subsequent medical treatment at GTB Hospital, however, documented swelling, bruises, and cardiovascular damage. Despite the aforesaid circumstances, the NHRC has dismissed the petitioner's complaint.

5. The Court on 25.09.2025 directed for issuance of notice. Despite that, none has appeared for the respondent.

6. At this stage, the Court is not examining the veracity of the aforementioned allegations. It is only concerned with the fact that, prior to the closure of the complaint, the petitioner was not afforded an opportunity of hearing. It is observed that hearing the petitioner would have facilitated the NHRC in arriving at an appropriate conclusion. The scheme of the Protection of Human Rights Act, 1993 empowers the NHRC to conduct an inquiry into complaints of violation of human rights, and such an inquiry would be rendered more meaningful, fair, and effective if the complainant is afforded an opportunity of being heard.

7. Even thereafter, if the same conclusion were to be reached by NHRC, the petitioner would have been entitled to avail appropriate remedies in accordance with law.

8. Under these circumstances, the matter is remitted back to NHRC for fresh consideration.

9. Let the notice to the petitioner be issued by the NHRC, and on hearing



the petitioner, let the fresh conclusion be drawn. Ordered accordingly.

10. Petition stands disposed of.

PURUSHAINDR KUMAR KAURAV, J

JANUARY 19, 2026

P/MJ