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

+ **W.P.(CRL) 3992/2025**

YASHVARDHAN SHRIVASTAV

.....Petitioner

Through: Mr. Visheshwar Shrivastav,
Advocate.

versus

THE STATE OF NCT OF DELHI AND ORS

.....Respondents

Through: Mr. Kshitiz Garg and Mr.
Ashvini Kumar, Advocates for Mr.
Mr. Amol Sinha, ASC for the State.
SI Mandeep, P.S.: Saket.
Ms. Snehlata S. Surana, CGSC.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

% **05.02.2026**

CRL.M.A. 35929/2025 (exemption)

CRL.M.A. 35930/2025 (exemption)

CRL.M.A. 35931/2025 (exemption)

Exemptions granted, subject to just exceptions.

The applications stand disposed of.

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At the outset Mr. Visheshwar Shrivastav, learned counsel appearing for the petitioner submits, that respondents Nos. 2 to 4 be deleted from the array of party-respondents, since the petitioner is not seeking any relief against them.

2. The said respondents are accordingly deleted from the array of parties.
3. By way of the present petition filed under Article 226 of the Constitution of India read with section 528 of the Bharatiya Nagarik



Suraksha Sanhita 2023 ('BNSS'), the petitioner *inter-alia* seeks issuance of certain directions to the respondents.

4. The court has heard Mr. Shrivastav, learned counsel for the petitioner, as well as Mr. Kshitiz Garg, learned counsel appearing on behalf of Mr. Amol Sinha, learned ASC for the State at some length.
5. In the course of submissions, Mr. Garg points-out, that investigation in the matter is complete; chargesheet was filed in April 2025; and cognizance of the offence has been taken. It is submitted, that in fact, the learned Magistrate has even issued summons to two accused persons. Further, in addition to the original chargesheet, two supplementary chargesheets have also been filed in the case.
6. In the circumstances, Mr. Garg submits, that prayer (a) seeking transfer of investigation from P.S.: Saket to the Crime Branch is rendered infructuous.
7. Furthermore, it is submitted that prayer (b), which seeks a direction to the police to arrest "unidentified assailants" is untenable, since the police would have arrested the concerned persons, had they been identified.
8. Mr. Garg also submits that prayers (c) and (d) relate to directions for registration of an FIR in the complaint case as referred-to in the said prayer; which prayer is already subject matter of proceedings under section 175(3) of the BNSS, which application is pending before the learned Magistrate.
9. Mr. Garg submits, that in the given circumstances, nothing survives in the petition.



10. Mr. Shrivastav however submits, that the police have been remiss in investigating case FIR No.314/2024, in respect of which the learned Magistrate has also passed certain orders *inter-alia* directing disciplinary action against the Sub-Inspector and SHO.
11. Mr. Shrivastav also points-out, that as recorded in order dated 06.05.2025 by the learned Magistrate, the lacunae in the investigation were in fact admitted by the learned APP. Attention in this behalf is drawn to reply dated 06.11.2025 filed by the DCP, South District before the learned Magistrate, acknowledging the said lapses .
12. However, this court is of the view, that since the police authorities have themselves admitted lapses in the investigation, leading to initiation of disciplinary action; and the learned APP has himself admitted certain lapses on his part, the proper forum for the petitioner to raise his grievances would be before the learned Magistrate, in the course of those proceedings.
13. In view of the foregoing, this court finds no justification to entertain the present petition, which is accordingly disposed-of at the stage of issuance of notice itself.
14. Pending applications, if any, also stand disposed-of.
15. Needless to add, that the petitioner shall be at liberty to invoke all his remedies, and raise all his contentions, as may be available to him before the appropriate forum, in accordance with law.

ANUP JAIRAM BHAMBHANI, J

FEBRUARY 5, 2026/ak