



2026:DHC:8404



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

% **Reserved on: September 15, 2026**
Pronounced on: September 28, 2026

CNR No. DLHC010369372026

+ **W.P.(CRL) 2410/2026, CRL.M.A. 24435/2026, CRL.M.A. 24436/2026**

SANJAY KUMAR TIWARI

.....Petitioner

Through: Petitioner-in-person

Versus

THE STATE (GOVT. OF NCT OF DELHI)Respondent

Through: Ms. Amisha Gupta, Adv. for Ms.
Rupali Bandhopadhyaya, ASC for
State with SI Manoj Kumar, PS.:
Chankyapuri

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

J U D G M E N T

1. By virtue of the present petition under *Articles* 226 and 227 of the Constitution of India read with *Section* 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023¹, the petitioner seeks the following reliefs:-

“I. ISSUE AN APPROPRIATE WRIT, ORDER, OR DIRECTION holding the respondents accountable for the continuous violation, non-compliance, and disregard of the binding orders passed by this Hon’ble Court, specifically the Orders dated 12/10/2018, 01/05/2025, and 04/07/2025 passed in CRL. M.A. NO. 13367/2025 in W.P. (CRL.) NO.

¹ Hereinafter referred to as “BNSS”



186/2018, as well as the mandate of the Judgment passed in W.P. (CRL.) NO. 2056/2024, and issue necessary directions to ensure strict compliance therewith in the interest of justice;

II. *ISSUE AN APPROPRIATE WRIT, ORDER, OR DIRECTION directing that the trial proceedings in FIR No. 207/2007 (P.S. Chanakyapuri) be conducted as a connected and consolidated trial alongside all other interconnected matters, as was previously being conducted on a single order sheet before the Ld. Trial Court pursuant to the earlier binding orders of this Hon'ble Court, and in strict adherence to the mandate laid down by the Hon'ble Supreme Court in Amit Katyal & Anr. v. State of Haryana & Anr. [W.P. (Crl.) No. 67/2025], requiring all criminal proceedings arising out of the exact same transaction to be tried together to prevent conflicting findings and severe prejudice to the accused;*

III. *ISSUE AN APPROPRIATE WRIT, ORDER, OR DIRECTION setting aside and quashing the impugned, unfair, and erroneous Order dated 29/07/2026 passed by the Ld. JMFC-02, Patiala House Courts, New Delhi, in FIR No. 207/2007, which arbitrarily curtails the fundamental statutory rights of the Petitioner guaranteed under Section 243 Cr.P.C. to lead defense evidence and examine defense witnesses, thereby restoring the Petitioner's right to a fair trial;*

IV. *FURTHER HUMBLY SEEKING DIRECTIONS TO REMIT, RE-CLUB, AND RESTORE THE PRESENT CASE (FIR NO. 207/2007, P.S. CHANAKYAPURI) TO BE ADJUDICATED ALONGSIDE THE OTHER THREE INTERCONNECTED FIRs (FIR NOS. 180/2007, 181/2007, AND 182/2007, P.S. PARLIAMENT STREET), WHERE THOSE INTERLINKED MATTERS SHARING IDENTICAL*



PROSECUTION WITNESSES (PWs) AND INTER-EXCHANGED DISCLOSURE STATEMENTS WERE DECIDED/DISPOSED OF, IN ORDER TO MAINTAIN JUDICIAL CONSISTENCY, PREVENT PREJUDICE, AND UPHOLD THE INTEREST OF JUSTICE.

V. PASS SUCH OTHER AND FURTHER ORDER(S) as this Hon'ble Court may deem fit, just, and proper in the facts and circumstances of the case and in the supreme interest of justice.”

2. The primary contention of the petitioner is about his acquittal in three other connected matters arising out of FIR Nos.180/2007, 181/2007 and 182/2007. He submitted that since the proceedings relating to FIR No.207/2007 is pending against him, the same ought to be adjudicated by the same Court which is adjudicating the other three connected matters as per settled law in ***Amit Katyal & Anr. v. State of Haryana & Anr.***².
3. He then submitted that the impugned order dated 29.07.2026 passed by learned Trial Court is fundamentally arbitrary, unfair and completely contrary to the principles of a fair trial, as it violates his statutory right to lead defence evidence. He also submitted that the learned Trial Court currently adjudicating proceedings relating to FIR No.207/2007 which is biased towards him as he was (wrongly) designated as a ‘convict’ that too whence trial was still pending *vide* orders dated 06.09.2024 and 04.07.2025.
4. Heard.

² 2026 INSC 509



5. First and foremost, it is a matter of fact that the proceedings emanating from rest of FIR Nos.180/2007, 181/2007 and 182/2007 have already culminated to a closure thereof. Therefore, there is no occasion for this Court to accede to the reliefs sought by the petitioner herein. Accordingly, the judgment passed by the Hon'ble Supreme Court in **Amit Katyal (supra)** is not applicable herein.

6. Moreover, the petitioner (also) seeks to challenge the impugned order dated 29.07.2026 passed by the learned Trial Court wherein it is noted that the proceedings are listed “... *...for filing of written submissions u/s 313(5) Cr.PC. by the accused persons and for final arguments on 12.08.2026.*”, and that too, in terms of an earlier order dated 27.08.2024 passed by this Court in W.P.(CRL) 2056/2024, whereby the learned Trial Court was called upon to expedite the disposal of the said proceedings pending before it. In fact, pursuant to the impugned order dated 29.07.2026 and as recorded in the order dated 18.09.2026, the petitioner *admittedly* has filed his written statement under *Section 313(5)* of the Code of Criminal Procedure, 1973³.

7. A perusal of the record reveals that the proceedings for which the petitioner is seeking clubbing have remained pending for the last *19 years*, during which he has repeatedly sought its transfer on one pretext or the other. Not only the petitioner has made allegations of bias against the learned Trial Court as well, which are, in the opinion of this Court, bereft of any concrete material/ evidence in support thereof.

³ Hereinafter referred to as “*Cr.PC*”



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8. Cumulatively taking the aforesaid, the assertions made in the present petition do not exude any confidence in this Court to proceed therewith.

9. Thus, as a sequitur, in view of the foregoing, there is absolutely no justifiable ground(s) for this Court to exercise its inherent jurisdiction under *Section 528* of the BNSS.

10. Accordingly, the present petition, alongwith the pending applications, is dismissed in *limine* with no orders as to costs.

SAURABH BANERJEE, J.

SEPTEMBER 28, 2026/So/aks