



2026:DHC:4433



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

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Date of Decision: 18.05.2026

+ **W.P.(CRL) 1596/2026, CRL.M.A. 15916/2026 & 15917/2026**

ASHANAND SAINI@ANAND SAINI

.....Petitioner

Through: Mr. Bharat Bagga, Advocate (*through
videoconferencing*)

versus

THE STATE NCT OF DELHI AND ORS

.....Respondents

Through: Mr.Arjit Sharma and Ms. Sakshi Jha,
Advocates for the State with Inspector
Rajeev Ranjan and SI Mohit, PS
Begumpur

CORAM: JUSTICE GIRISH KATHPALIA

JUDGMENT (ORAL)

1. For ready reference, prayer clause of this petition is extracted below:

“(a) ISSUE A WRIT OF MANDAMUS THEREBY DIRECTING THE RESPONDENT NO. 1 TO 3 TO GIVE THE PROTECTION TO THE PRECIOUS LIFE OF THE PETITIONER BY REGISTERING THE FIR AGAINST THE RESPONDENT NO. 4 TO 6 AND PRESERVING THE PRIMACY OF RULE OF LAW BY SAFEGUARDING HIS SACROSANCT CONSTITUTIONAL AND FUNDAMENTAL RIGHT I.E RIGHT TO PROPERTY, RIGHT TO LIVELIHOOD AND RIGHT TO LIFE AS GUARANTEED UNDER ARTICLE 21 AND 300A OF CONSTITUTION OF



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INDIA.

(b) *ISSUE A WRIT OF MANDAMUS THEREBY DIRECTING THE RESPONDENT NO. 1 herein to forthwith transfer the investigation of petitioner's complaint dated 17.03.2025, 19.08.2025 and 30.03.2026 to independent investigation agency under the direct supervision of Deputy Commissioner of Police (Vigilance) and to conclude and conduct the preliminary inquiry in a fair, impartial and time bound manner.*

(c) *Direct the initiation of departmental inquiry against respondent no. 4 for dereliction of his duty and for demanding corruption amount from petitioner herein.*

(d) *This Hon'ble court may pass any other or further order as may be deemed fit and proper in the facts and circumstances of the cases in favour of the petitioner and against the respondents and in the interest of justice."*

2. At the very outset, learned counsel for petitioner is called upon to address on maintainability of this petition with regard to any of the prayer clauses. But despite being repeatedly called upon, learned counsel for petitioner only raises a question as to where the petitioner should go in such cases where the police does not register FIR. It is quite unfortunate that learned counsel has opted not to examine the legal position before filing this writ petition.

3. Judgment of the Supreme Court in case of ***Sujal Vishwas Attavar vs The State of Maharashtra & Ors.***, 2026 INSC 442 is brought to the notice of learned counsel. Further, as regards prayer clause (b) also, the learned counsel for petitioner is under the impression that the moment a complaint is lodged, investigation commences irrespective of non-registration of FIR. Similarly, prayer clause (c) also falls beyond the scope of writ petition filed on criminal side.



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4. The present petition is not just devoid of merit but also appears to be a mischievous attempt to respond to FIR No. 710/2025 registered by PS Begumpur against the petitioner.

5. The petition and the accompanying applications are dismissed with cost of Rs. 10,000/- to be deposited by the petitioner with DHCLSC within one week.

**GIRISH KATHPALIA
(JUDGE)**

MAY 18, 2026/rs