



2026:DHC:5570



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

Date of Decision: 14.07.2026

+ **W.P.(CRL) 1915/2026 & CRL.M.A. 19190/2026**

MRS. KARAMWATI & ORS.

....Petitioners

Through: Mr. A.N. Aggarwal and
Mr. Pankaj Vivek, Advs.

versus

GOVT. OF NCT OF DELHI & ORS.

....Respondents

Through: Mr. Sanjeev Bhandari, ASC
Mr. Vikrang Pachnanda
and Mr. Mukul Katyal,
Advs. for CBI.

CORAM:

HON'BLE MS. JUSTICE MADHU JAIN

Madhu Jain, J. (Oral)

1. This hearing has been done through hybrid mode.
2. The arguments on the present petition were heard on 07.07.2026.
3. The present petition has been filed under Article 226 of the Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as the 'BNSS'), seeking the following reliefs:

“a) issue a writ, order or direction in the nature of mandamus, or any other similar writ order or direction thereby directing inquiry by central Bureau of Investigation/ crime Branch of Delhi Police into the complaints dated 19.05.2026 (Annexure p-1), 20.05.2026 (Annexure P-2) & 22.05.2026 (Annexure p-3) regarding the police atrocities and aid & abetment of criminals



by the respondent no. 6 and other police officials of police station Jaffarpur Kalan, Distt. South-west, Delhi and to take suitable action in accordance with law; and Pass such other/further order(s) which the Hon'ble Court deems fit and proper in favour of the applicants/Plaintiffs and against the Defendants.”

4. The facts giving rise to the present petition are that the petitioners claim to be the owners of agricultural land situated at Village Ghumanhera, Tehsil Kapashera (now Matiala), New Delhi. According to the petitioners, Respondent No. 4 approached Petitioner Nos. 2 and 3 for purchase of one parcel of land. However, instead of the agreed parcel, Respondent No. 4 allegedly got a registered sale deed dated 21.11.2025 (registered on 26.11.2025) executed in respect of another and more valuable parcel of land without paying the agreed sale consideration. Aggrieved thereby, the petitioners filed Complaint Case No. 664/2026 before the Court of the learned CJM, South-West District, Dwarka, and also instituted **CS (OS) No. 113/2026**, titled **Ashil Kumar &Anr. v. Suresh Goyal & Anr.** challenging the said sale deed.

5. It is the case of the petitioners that during the pendency of the aforesaid proceedings, Respondent No. 5 executed another sale deed dated 02.02.2026 in favour of a private company without disclosing the same before the learned Civil Court. The petitioners claim that they continued to remain in possession of the land and carried out agricultural activities thereon.

6. It is further stated that Respondent No. 5 lodged complaints before Police Station Jaffarpur Kalan claiming possession over the property.



The petitioners also submitted various complaints before the SHO, DCP and other authorities alleging fraud and seeking protection. Petitioner No. 2 was called to join the inquiry by ASI Satish Kumar and submitted a written reply, however, according to the petitioners, no fair investigation was conducted.

7. The petitioners further allege that on 07.05.2026, a large police contingent, along with certain private persons allegedly engaged by the respondents, forcibly dispossessed them from the land. It is alleged that Petitioner Nos. 1 and 2 and other family members were detained in police vehicles for several hours, preventive proceedings by way of a *kalandra* were initiated against them, and they were sent to judicial custody before being released on 08.05.2026 upon furnishing bonds. Thereafter, the petitioners submitted complaints dated 19.05.2026, 20.05.2026 and 22.05.2026 alleging police atrocities, collusion of local police officials with private respondents, and forcible dispossession from agricultural land.

8. Since no action was taken on the said complaints, the present writ petition has been filed seeking an independent investigation by the Central Bureau of Investigation or the Crime Branch.

9. Learned counsel for Respondent No. 2, who appears on advance notice, submits that the petitioners have an alternative efficacious remedy available to him and can file the appropriate proceedings before the learned Metropolitan Magistrate having jurisdiction over the concerned Police Station and put forth all their grievances. He further submits that the jurisdiction of this Court under Article 226 of the Constitution of India cannot be invoked in the present manner.



10. Heard learned counsel for the parties and perused the record.
11. The petitioners have an equally efficacious alternative remedy available in law. They can approach the Court of the learned Metropolitan Magistrate for redressal of his grievance. In the event they are dissatisfied with the orders passed by the learned Metropolitan Magistrate, they can avail of the statutory remedy of revision before the competent Court. However, jumping the gun, the petitioners have straightaway invoked the writ jurisdiction of this Court without exhausting the remedies available under law, which is not permissible.
12. Moreover, the controversy raised in the present petition involves disputed questions of fact and it is an admitted position that a civil suit between the parties is already pending. In such circumstances, entertaining the present writ petition and passing any directions in favour of either of the parties may have a bearing on, or may indirectly affect, the outcome of the civil proceedings pending between them.
13. Accordingly, this Court is not inclined to exercise its writ jurisdiction in the facts and circumstances of the present case. The petitioners are at liberty to avail of the appropriate remedies available under law before the competent forum.
14. The petition is disposed of in the above terms.
15. Pending application(s), if any, also stand disposed of.

**MADHU JAIN
(JUDGE)**

JULY 14, 2026/prg/Av