



2026:DHC:6038



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**% *Date of Decision: 28.07.2026*+ **W.P.(CRL) 2227/2026 & CRL.M.A. 22222/2026****ZARNIGAR FATIMA**

.....Petitioner

Through: Mr. Sufian Siddiqui, Mr. Rakesh Bhugra and Mr. Mohd. Niyazuddin, Advocates.

versus

**THE COMMISSIONER OF POLICE,
DELHI & ORS.**

.....Respondents

Through: Mr. Yasir Rauf Ansari, ASC for State with Mr. Alok Sharma and Ms. Pavitra Dixit, Advocates with Inspector Tanvir Ashraf.

CORAM: JUSTICE GIRISH KATHPALIA**J U D G M E N T (ORAL)**

1. For convenience, the prayer clause of the petition is extracted below:

a) *Issue a writ of Mandamus, or any other analogous writ, order or direction directing Respondent No.1 to forthwith withdraw the inquiry directed pursuant to the order dated 08.04.2025 passed by this Hon'ble Court in W.P.(Crl.) No.1128/2025 from the administrative control and supervision of Respondent No.2/Shri Sandeep Lamba-Addl DCP and entrust the same to a senior police officer not below the rank of Deputy Commissioner of Police, posted outside the North-East District, who has had no previous association, directly or indirectly, with the subject matter of the inquiry; and*

b) *Direct that the officer so appointed shall conclude the inquiry independently, impartially and uninfluenced by any previous observations,*

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findings, conclusions or communications previously made during the course of the inquiry, after granting the Petitioner a meaningful opportunity of participation and upon due consideration of all relevant material, inter-alia the CCTV footage of Police Station Jafrabad preserved pursuant to the directions of this Hon'ble Court vide order dated 08.04.2025, the Daily Diary entries, departure and arrival entries, police records and all other contemporaneous documentary and electronic evidence relevant to the Petitioner's allegation of unlawful detention during the intervening night of 24/25.03.2025, and thereafter submit a reasoned report in accordance with law; and

c) Direct the Respondents to forthwith transmit the entire original record of the inquiry, including all complaints, statements, Daily Diary entries, correspondence, CCTV footage and all other documents and electronic records collected during the course of the inquiry, to the newly appointed Inquiry Officer to facilitate an independent and comprehensive consideration of the Petitioner's complaint; and

d) Pass such other and further order(s) or direction(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case, in the interest of justice.

2. Learned counsel for the petitioner contends that the Additional DCP (respondent no.2 herein) is the Inquiry Officer and the petitioner apprehends bias because according to press reports, in the course of recent demonstration by certain sections of the society, the present respondent no. 2 slapped a lady.

3. At the outset, learned ASC appearing on advance intimation submits on the instructions of Inspector Tanvir Ashraf that the subject inquiry already stands concluded and statement of the present petitioner has already been recorded, so nothing survives. It is further informed that after completion of inquiry, the respondent no. 2 has transmitted the issue to the





competent authority for final decision, which shall be conveyed to the petitioner in time.

4. Considering the statement of learned ASC, the present petition is held infructuous, so dismissed. Accompanying application also stands disposed of.

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**GIRISH KATHPALIA
(JUDGE)**

JULY 28, 2026
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