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

Date of Decision: 24th August, 2026

CNR No. DLHC010397872026

+ CRL.M.C. 6258/2026 & CRL.M.A. 26114/2026 & CRL.M.A.
26115/2026

PARVEEN KUMAR YADAV

.....Petitioner

Through: Mr. Sanjeev Bhandari, Senior
Advocate with Mr. Sushant Bali and
Mr. Arjit Sharma, Advocates

versus

STATE (NCT OF DELHI) & ANR.

.....Respondent

Through: Mr. Sunil Kumar Gautam, APP for
State with Insp. Vipin Kumar and SI
Srikant Yadav, PS Vasant Kunj South

CNR No. DLHC010398122026

+ CRL.M.C. 6261/2026 & CRL.M.A. 26133/2026 & CRL.M.A.
26134/2026

PARVEEN KUMAR YADAV

.....Petitioner

Through: Mr. Sanjeev Bhandari, Senior
Advocate with Mr. Sushant Bali and
Mr. Arjit Sharma, Advocates

versus

STATE (NCT OF DELHI) & ANR.

.....Respondent

Through: Mr. Sunil Kumar Gautam, APP for
State with Insp. Vipin Kumar and SI
Srikant Yadav, PS Vasant Kunj South

CNR No. DLHC010398272026



+ CRL.M.C. 6271/2026 & CRL.M.A. 26145/2026 & CRL.M.A.
26146/2026

PARVEEN KUMAR YADAV

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Advocate with Mr. Sushant Bali and
Mr. Arjit Sharma, Advocates

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CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. All the three petitions, being connected, have been taken up together.
2. Three charge-sheets were filed before the learned Trial Court in relation to commission of offence under Sections 33 of *Delhi Excise Act, 2009*.
3. These pertain to FIR No. 84/2025, FIR No. 453/2025 & FIR No. 386/2026, registered at Police Station Vasant Kunj South.
4. During investigation, police, reportedly, made best efforts to ascertain the source and supply of illicit liquor in question which had been recovered from the respective accused persons in the aforesaid three cases. However, despite the above, supplier could not be traced. The inability to trace the supplier was not based on any deliberate omission or negligence on the part of the police but was for the reason that there was no concrete information regarding source or supplier. Thus, after completing investigation, when the charge-sheet was filed before the learned Trial Court, the learned Trial Court



observed that investigating officer had not put in due efforts to trace the source and, therefore, while issuing notice to the concerned SHO, it gave certain directions.

5. Relevant portion of such order reads as under:-

“Issue notice to the SHO concerned to file detailed reply, duly forwarded by DCP concerned, elaborating on the following aspects:

- 1. Total number of chargesheets filed from 01.01.2025 till date, wherein Section 33 Delhi Excise Act has been invoked.*
- 2. No. of cases in which source of illicit liquor has been traced and the said accused, who had supplied illicit liquor, has been apprehended or made to join the investigation”.*

6. Present petitions have been filed by SHO of the aforesaid police station taking exception to said directions. It needs to be highlighted that the impugned orders were, earlier, challenged by filing Revision Petitions which were dismissed by learned Sessions Court by a common judgment dated 16.07.2026. Learned Revisional Court, though, observed that there was no adverse remarks or stricture or censure against any police officer and impugned orders did not record anywhere any finding of dereliction, it, however, dismissed the Revision Petitions while holding that the impugned orders were interlocutory in nature, therefore, revision was not permissible.

7. It is in the aforesaid backdrop that the present petitions have been filed.

8. Needless to say, learned Trial Court has ample power to order further investigation wherever it is not satisfied with the final report given by the police. There cannot be any doubt or question mark over such power of the Magisterial Court, therefore, whenever it forms any opinion that there is deficiency in the investigation, it can, certainly, pass an order directing further investigation.

9. Fact, however, remains that aforesaid directions, as extracted above,



seem to have no real nexus with the investigation in the aforesaid three matters. It is not amply clear as to what fruitful outcome would be achieved if such data and statistical information is placed before the learned Trial Court.

10. Mr. Sanjeev Bhandari, learned Senior Counsel for petitioners submits that learned Trial Court has traversed its jurisdiction and has, instead, embarked upon an inquiry and seeks information which is, otherwise, unrelated to the investigation(s) in question. Undoubtedly, learned Trial Court has not given any specific observation, commenting upon the negligence or deliberate omission on the part of the investigating agency and has called for the aforesaid data in order to perhaps assess and evaluate the manner in which investigation had been carried out in other matters. Manifestly, the information sought for has no bearing with the ongoing investigation. This assumes importance also for the reason that while directing the elaboration of the aforesaid two aspects, learned Trial Court has not, even, given any specific reason as to how such information would be helpful.

11. Apparently, the cognizance has yet not been taken also.

12. Thus, although object sought to be achieved by the learned Trial Court might be well-merited and laudable one, the Court seems to have gone overboard in its over-anxiety to do justice and, clearly, the procedure adopted and the directions given were not warranted.

13. In view of the above, impugned orders, so far these relate to the notice to the concerned SHO with respect to the elaboration on the said two aspects are set aside.

14. Next date before the learned Trial Court is stated to 31.08.2026. On



such date, learned Trial Court would be at liberty to give direction, if necessary, to the investigating agency to further investigate the matter in order to reach the alleged source and supplier.

15. All three petitions stand disposed of in aforesaid terms.
16. Pending applications also stand disposed of in aforesaid terms.

(MANOJ JAIN)
JUDGE

AUGUST 24, 2026/dr/sy