

Misc CrI. 144/2026 STATE Vs. ANIL PANDEY
(APPLICATION FOR PRESERVATION OF CCTV) 373/2025
(Saket)

09.02.2026

Matter taken up in physical court as well as through video conferencing in terms of order No. 2551/DHC/Gaz/G2/ 2022 dated 11.05.2022 of Hon'ble High Court of Delhi.

Present: Sh. Mukul Kumar, Ld. APP for State.

Sh. Gautam Dass, Ms. Khushi Chopra and Sh. Shivam Kumar, ld. counsel for applicant through VC.

IO Inspector Nagender Nagar through VC.

Ld. counsel for the applicant submits that in para 2 of his application, he has asserted that accused Anil Pandey, as well as three other accused, were arrested on 06.12.2025 without any arrest memo. He submits that in the reply filed by the IO on the last date, the IO replied limited his reply to accused Anil Pandey only, and did not assert anything as regards the remaining accused.

Upon enquiry, ld. counsel for the applicant submits that he represents accused Anil Pandey only, and does not represent the other accused. However, it is submitted by him that the right of the other accused under Article 22 of the Constitution of India was violated by the IO, and he can address arguments for the said accused regarding such violation. This submission of ld. counsel appears to be downright absurd. Without instructions from other accused persons, and without any authority on their behalf, this court does not deem it fit to pass any directions against the IO for some alleged violation of Constitutional rights of the other accused. As regards accused Anil Pandey, it has been clarified by the IO in his reply how the said accused had joined

investigation on that day, but was not arrested on 06.12.2025.

At this stage, ld. counsel submits that the IO has illegally stolen the car of the accused as well. It is observed that in the reply filed by the IO, he has stated that the accused had reached the PS on the aforesaid date in his own car, and his car was never seized. The allegations made by the accused as well as ld. counsel appear to be vague, inasmuch as even the registration number of such car allegedly stolen by the IO has not been mentioned by the accused/applicant in his application.

Lastly, ld. counsel submits that directions on prayer (c) of his application may also be passed. In the said prayer clause, accused has prayed that notice be issued to IO Inspector Nagender Nagar to explain the allegation of illegal detention, custodial torture and extortion, and if CCTV footage confirms the violation, appropriate departmental action may be initiated against him. It is observed that the prayer is based on a mere conjecture, and it has been stated in the said prayer clause, that if any violation is found in the CCTV footage, action may be taken against the IO. The accused has shied away from making categorical assertion that he was subject to any custodial violence. In any event, if the accused was indeed subjected to such custodial violence, he is at liberty to take appropriate recourse to Section 175(3) BNSS. Basis casual and vague assertions contained in the application instant of custodial violence and extortion, this court is not inclined to pass any direction against the IO.

Application stands disposed of.

Dasti.

(Medha Arya)
ACJM/South District
New Delhi/09.02.2026