



\$~1

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
CNR No. DLHC010304702019

+ CRL.A. 846/2019, CRL.M.A. 17179/2020, CRL.M.(BAIL)
8262/2020, CRL.M.(BAIL) 351/2022 & CRL.M.(BAIL) 1253/2026
HARSHAD ALAM @ ARSHAD ALAMAppellant

Through: Mr. K.K. Manan, Sr. Advocate along
with Mr. Udit Bali, Mr. K.S.
Chaudhary and Ms. Reenaya Grover,
Advs.

versus

STATERespondent

Through: Ms. Manjeet Arya, APP with DCP
Manishi Chandra, Southern Range,
Special Cell and Inspector Sanjeev
Kumar.

CORAM:

HON'BLE MS. JUSTICE CHANDRASEKHARAN SUDHA

ORDER

% **06.08.2026**

1. Mr. Manishi Chandra, the Deputy Commissioner of Police
(DCP), Southern Range, Special Cell present before the Court, has
filed an affidavit dated 03.08.2026 in which he states that he was
never informed about the order of this Court by the Station House
Officer (SHO) concerned and hence, the reason he was unable to
comply with the order.

2. On 28.04.2026, this Court in continuation of order dated
07.10.2021 had directed the appellant to deposit the balance fine



amount within a period of 2 days, failing which the SHO concerned was directed to take him into custody. The appellant did not comply with the said order. On 26.05.2026, it was brought to the notice of this court by the learned Additional Public Prosecutor that despite repeatedly directing the SHO and informing the SHO of the orders of this court, the officer concerned was not complying with the same. Hence, the matter was taken up on 26.05.2026 and the following order was passed.

“1. On the request of the learned Additional Public Prosecutor, the present criminal appeal is taken up.

2. It is brought to my notice that so far the order dated 28.04.2026, by which the appellant was directed to deposit the balance amount within a period of two days, failing which the Station House Officer (SHO) concerned was directed to take him into custody, has not been complied with.

3. The learned Additional Public Prosecutor submits that though he had attempted to contact the SHO concerned on several occasions, he has still not received any information as to whether the said order has been complied with till date.

4. The Deputy Commissioner of Police concerned shall file a report as to whether the appellant has complied with the order dated 28.04.2026, if not, whether the SHO concerned has taken him into custody.

5. The trial court shall also file a report whether the appellant has



complied with the directions contained in the order dated 28.04.2026.

6. Issue Court notice to the counsel of the appellant, returnable on 29.05.2026.”

3. As the SHO concerned was failing in his duty, the DCP was directed to file a report as to whether the appellant had complied with the order dated 28.04.2026. However, when the matter was taken up on 29.05.2026, the orders of the Court were still not seen complied with. Therefore, the appellant was directed to be taken into custody forthwith by the SHO concerned, and the DCP as well as the SHO concerned were directed to be personally present before this court to show cause as to why action should not be taken for non-compliance of the orders of the court.

4. Pursuant to the order of this Court dated 29.07.2026, the DCP has filed an affidavit stating that the SHO concerned never brought the orders passed by this Court to his notice, and hence, the reason why he was unable to comply with the directions of this court. The DCP has also tendered his unconditional apology for the non-compliance of the orders of the Court. The DCP also submits



that approval has already been taken for initiating departmental proceedings against the SHO concerned.

5. In the light of the affidavit and as the DCP had not been informed of the order, further proceedings against him are dropped and he is discharged.

6. As Mr. Utkarsh, the learned Additional Public Prosecutor is not available today, the matter is adjourned to 11.08.2026. Shri Sanjeev Kumar, the SHO who is seen to have failed in complying with the directions of the Court, shall be personally present in Court on 11.08.2026.

CHANDRASEKHARAN SUDHA, J

AUGUST 6, 2026

rs