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

+ **W.P.(CRL) 3685/2024**

SHEENAM RAHEJA

.....Petitioner

Through: Mr. Vivek Gupta, Adv.

versus

UNION OF INDIA & ANR.

.....Respondents

Through: Mr. Jagdish Chandra, CGSC with
Ms. Maanya Saxena & Mr. Siddharth
Bajaj, Advocates for UOI.
Ms. Rupali Bandhopadhyaya ASC for
State with Mr. Amit Peswani,
Mr. Abhijeet Kumar and Ms. Amisha
Gupta, Adv.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

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22.12.2025

1. Writ Petition under Article 226 of the Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been filed on behalf of the Petitioners for directing Respondent No.1 to take necessary steps with USA to expedite the extradition proceedings of Sh. Amit Wadhwa forthwith; and directing Ld. Trial Court to expedite the trial in Cr. Case 300096/2016 in FIR No.0164/2009 under Sections 420/467/468/471/120B IPC pending at Economic Offence Wing of the Delhi Police.

2. It is submitted in the Petition that Petitioner Ms. Sheenam Raheja (Complainant) got married to Mr. Amit Wadhwa R/o California, USA, on 15.04.2000, according to Hindu rites and ceremonies. They, thereafter temporarily moved to USA and were blessed with two daughters from the wedlock. Petitioner has been subjected to extreme cruelty, humiliation and harassment at the hands of Sh. Amit Wadhwa and his family members in



India as well as in USA, during her matrimonial life.

3. In the month of July 2008 petitioner along with her two daughters had visited India. However, in clandestine manner, her mother-in-law along with the two daughters of Petitioner, returned back to USA without the assent or consent, let alone knowledge of Petitioner. In the given circumstances, Petitioner was deserted by Sh. Amit Wadhwa, who is sitting in USA.

4. In order to meet her expenses, Petitioner visited her Bank in order to withdraw money from her personal saving account, but was shocked to find that there was a balance of Rs.10,000/- in her bank account. On enquiry, she learnt that amount of Rs.1,26,43,000/- had been withdrawn. She immediately stopped the operation of her bank account.

5. She claimed that the money had been withdrawn fraudulently at the hand of Mr. Amit Wadhwa and other unknown person, for which FIR No.0164/2009 was registered under Sections 420/467/ 468/471/120B IPC and investigations were conducted by Economic Offence Wing of Delhi Police.

6. After completion of investigations on 04.02.2013, Final Report was filed against accused Mr. Amit Wadhwa and Mr. Surinder Wadhwa without arrest, as Mr. Amit Wadhwa is in USA and for reasons best known to the Investigating Agency. No effective steps were taken to secure the presence of Sh. Amit Wadhwa in India throughout the investigations.

7. Petitioner further submits that the Investigating Agency filed an Application seeking Extradition of Mr. Amit Wadhwa from USA to India, somewhere in 2015, i.e. after six long years of the registration of FIR, which was allowed by the learned Trial Court vide Order dated 15.01.2015. Despite the letter of extradition of Sh. Amit Wadhwa being forwarded by the Ministry of External Affairs to the Embassy of India, Washington, USA vide Letter



dated 30.06.2015 and later on, same was forwarded by the Embassy Of India to the U.S. department of State for their consideration vide Note dated 27.07.2015, no effective results have ensued.

8. The trial has not proceeded further against Sh. Surinder Wadhwa for one reason or the other and the matter is pending at the stage of framing of Charge since 20.02.2015. The Investigating Agency, to the knowledge of the Petitioner, has not taken any effective steps since the Order of learned Trial Court dated 31.10.2018 to expedite the extradition of Sh. Amit Wadhwa. The Petitioner is the ultimate victim of the crime and is running from pillar to post in order to secure the presence of Sh. Amit Wadhwa in India.

9. Complainant with her limited resources, filed an Application under RTI Act, 2005 in April, 2021 with the Ministry of External Affairs, Union of India; seeking status of Extradition request of Sh. Amit Wadhwa, but no Reply was received by the Petitioner to the said Application. Vide Order dated 07.10.2022, it was directed by the Ld. Commission that information sought by Petitioner be shared with her. Accordingly, Respondent No.1 shared the part information as permissible under the RTI Act, 2005 with Petitioner and upon perusal thereof, she was surprised to learn that the file of extradition request of Sh. Amit Wadhwa has seen the light of the day only after intervention of the Petitioner by filing the RTI. In response to her query, it was stated that Respondent No.1 has sent Letters to USA on 23.09.2022 and 26.09.2022, i.e. two weeks before the date of hearing before Central Information Commission, New Delhi. It is submitted that no effective steps have been taken either by Respondent No.1 or 2 to get Amit Wadhwa extradited to India and to face the trial.

10. It is submitted that Petitioner has filed Complaint under Protection of



women from Domestic violence Act, 2005, before the Jurisdictional Court and Interim Maintenance was awarded to her against Mr. Amit Wadhwa, but the Order was flouted by him. She again approached the Court and he was convicted for flouting the Order. Trial Court has further directed Respondent No.1 to secure the presence of Mr. Amit Wadhwa in the Court.

11. Further, in the Contempt Jurisdiction, Sh. Amit Wadhwa has been directed to join the proceedings virtually vide Order dated 28.07.2023 and he so participated in the proceedings and joined the trial through virtual mode.

12. The Respondents have failed to show any diligence in performing their duties. Hence, prayer is made that direction be issued to Respondent No.2 to take necessary steps with USA to expedite the extradition proceedings against Mr. Amit Wadhwa and to direct the learned Trial Court to conduct the trial of Cr. Case 300096/2016 as expeditiously as possible.

13. **Status Report has been filed** on behalf of Respondent No.2, explaining that the Complainant had gone out of India on four dates between May, 2002 and August, 2007 and arrived in India on four corresponding dates between October, 2003 and July, 2008. The investigations were duly carried in her Complaint. After the completion of investigations, Chargesheet was filed against Mr. Amit Wadhwa and Mr. Surinder Wadhwa. Since Mr. Amit Wadhwa avoided appearance, he has been declared a Proclaimed Offender ('P.O.'). It is further submitted that updated status on extradition proceedings of accused Mr. Amit Wadhwa has been sought from the Ministry.

14. **Learned counsel for Union of India has submitted** that the matter has been conscientiously been pursued with the Embassy of USA and Department of Justice and they have been last approached on 27.05.2025 to pursue the extradition of Mr. Amit Wadhwa.



Submissions heard and record perused.

15. As per the submissions made on behalf of the Respondents, Mr. Amit Wadhwa has already been declared Proclaimed Offender and the trial is on-going. It is submitted that Charges have already been framed and testimony of PW-1 has been recorded.

16. **Progress Report received from learned ACJM, be taken on Record**, wherein it is mentioned that the formal framing of Charge is listed for 02.04.2025.

17. Considering that it is a matter of 2016, learned Trial Court is directed to expedite and decide it preferably within one year.

18. In so far as extradition of Mr. Amit Wadhwa is concerned, it is quite evident that he is joining the contempt proceedings through VC and is well-aware of the proceedings pending against him in the learned Trial Court and is intentionally evading the process of the Court. He has already been declared Proclaimed Offender.

19. Petition is disposed of with directions to Union of India to expedite the extradition of Mr. Amit Wadhwa. Pending Applications, if any, also stand disposed of.

NEENA BANSAL KRISHNA, J.

DECEMBER 22, 2025/R