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IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 16.09.2026

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CNR No. DLHC010437762026

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W.P.(C) 13480/2026**MR. NITIN NARESH****.....Petitioner**

Through: Petitioner in person.

versus

**UNION OF INDIA THROUGH THE SECRETARY, MINISTRY OF
HOME AFFAIRS AND ORS.Respondents**

Through: Mr. Chetan Sharma, ASG along with
Mr. Nishant Gautam, CGSC, Mr.
Amit Kumar Rana, G.P., Mr. Amit
Gupta, Ms. Kavya Shukla, Mr. Vineet
Negi & Mr. Vibhav V. Nath,
Advocates for Respondent Nos.1, 3 &
4.
Mr. Sameer Vashisht, Standing
Counsel (Civil) for GNCTD.

CORAM:**HON'BLE THE CHIEF JUSTICE****HON'BLE MR. JUSTICE TEJAS KARIA****DEVENDRA KUMAR UPADHYAYA, C.J. (ORAL)**

1. Heard the petitioner who appears in person.
2. The petitioner has invoked our jurisdiction under Article 226 of the Constitution of India ostensibly in public interest, seeking a prayer to issue a direction to the respondents to consider and dispose of the representation said to have been made by him on 20.07.2026 by furnishing a reasoned and speaking reply within a period of two weeks.



3. Another prayer made in the writ petition is that the respondents be directed to preserve all CCTV footage, body worn camera footage, wireless logs, control room records, deployment records, detention records and all other electronic and official records relating to the events of 20.07.2026, pending disposal of his representation.

4. The representation dated 20.07.2026 in respect of which a prayer has been made for issuing a direction to decide the same has been annexed as *Annexure – 10* to the writ petition which is addressed to the Hon'ble Lieutenant Governor of Delhi, Hon'ble Union Minister for Home Affairs, Union Home Secretary, Commissioner of Police, Delhi. It is also addressed to the Director General, Central Reserve Police Force, Inspector General, Rapid Action Force, Director General, Railway Protection Force, Secretary, Ministry of Information and Broadcasting, Chairperson/Secretary, Press Council of India, Director, Central Forensic Science Laboratory, Editor-in-Chief/Chief Executive Officer/Grievance Officer, ANI (which appears to be a news agency), Editors and grievance officers of the media organisations and Chairperson, National Human Rights Commission.

5. The representation *inter alia* states that in relation to certain crowd control action taken by Delhi Police on 20.07.2026, the Delhi Police recklessly issued a false and materially misleading statement which constitutes a grave institutional failure. The representation refers to a statement published by Delhi Police on its official X account on 20.07.2026 wherein it has been stated that, “*Some segments from media have mentioned sporadic use of violence/detention at Jantar Mantar by Delhi Police. It is informed that no such incident has taken place and protest is being handled professionally. All are requested not to fall prey to any rumour/misgivings,*



and, to assist Delhi Police in maintaining peace and public order at and around the site.”

6. The petitioner has submitted that the said statement is absolutely false which is belied by various media reports which reported that a clash involving RPF personnel took place and further that RPF personnel and police used *lathis* for crowd control. Certain other media reports have also been referred to in the said representation and accordingly, it has been stated that contradiction by Delhi Police statement published on its official X account *vis-à-vis* the media reports is dangerous and accordingly, it has been prayed that the petitioner be granted personal or virtual hearing by the authorities while considering the said representation and provide and Action Taken Report to him within 15 days and further take a reasoned decision on the prayers made in the said representation.

7. The very basis of the instant petition are the media reports which according to the petitioner contradict the statement published by Delhi Police on its official X account in relation to crowd control measures taken by the Delhi Police at Jantar Mantar on 20.07.2026.

8. The statement published on the official Delhi Police X account is extracted herein below:

“Some segments from media have mentioned sporadic use of violence/detentions at Jantar Mantar by Delhi Police. It is informed that no such incident has taken place and protest is being handled professionally. All are requested not to fall prey to any rumour/misgivings, and, to assist Delhi Police in maintaining peace and public order at and around the site.”

9. What all has been stated in the said statement by Delhi Police is that the reporting made by certain segments of media regarding sporadic use of violence/detentions at Jantar Mantar by Delhi Police was not correct and



further that no such incident had taken place and that the protest was being handled professionally. The statement also records a request made by Delhi Police to all to not to fall prey to any rumour/misgivings and to assist Delhi Police in maintaining peace and public order. The foresaid statement made by Delhi Police in our opinion appears to be a routine statement as a measure aimed at crowd control management.

10. Relying on the media reports, an attempt appears to have been made by the petitioner to make a mountain out of a mole. No official statement by the central police forces has been enclosed by the petitioner. In any case, such measures form part of essential exercise by the Delhi Police or any other police force which is required as a crowd control measure.

11. We are also of the opinion that in the light of the complexity of the situation which might have arisen on 20.07.2026 at Jantar Mantar, getting an inquiry conducted, as to whether the statement made by Delhi Police is incorrect or not, does not serve any public purpose. As a matter of fact, larger question is as to whether, the authorities of Delhi Police used force disproportionate to what the situation warranted on the spot at that particular time. The concern of the petitioner is confined only in respect of the statement published by Delhi Police on 20.07.2026 which has been quoted above.

12. The jurisprudence surrounding public interest litigation in our country has evolved over a period of time by Hon'ble Supreme Court and various other High Courts in the country; primarily to provide a forum to take up the issues concerning disadvantaged sections of the society relaxing the rule of locus.

13. The primary object of a Public Interest Litigation Petition is to permit



a public spirited citizen to take up the issues concerning persons belonging to disadvantaged sections of the society who for various reasons, such as on account of poverty, illiteracy etc. are unable to take up their causes before the Courts. In a way, public interest litigation is a means to provide access to Courts of law and to justice.

14. The issue raised in this petition in our opinion does not serve any larger public interest and such petitions only result in wastage of judicial time. The Hon'ble Supreme Court in the case of ***Holicow Pictures (P) Ltd. v. Prem Chandra Mishra, (2007) 14 SCC 281*** has discussed the scope and purpose of Public Interest Litigation Petition in detail and has also quoted the judgment in ***Janata Dal v. H.S. Chowdhary, (1992) 4 SCC 305*** extensively. Paragraph 12 of the said judgment observes that while genuine litigants with legitimate grievances relating to civil matters involving properties worth hundreds of millions of rupees and criminal cases in which persons sentenced to death facing gallows under untold agony and persons sentenced to life imprisonment and kept in incarceration for long years suffer from undue delay awaiting disposal of their cases, are standing in a long queue for years with the hope of getting into the Courts and having their grievances redressed, the busybodies, the meddlesome interlopers and wayfarers having no public interest except for personal gain either of themselves or as a proxy for others or for any other extraneous motivation for glare of publicity etc. break the queue by filing public interest litigation and get into the Courts by filing vexations and frivolous petitions.

15. The Hon'ble Supreme Court goes on to observe that such attempt by camouflaged Public Interest Litigation Petitions criminally waste the valuable time of the Courts, as a result of which the queue standing outside



the doors of the Courts never move. The observations made in paragraph 12 of the said judgment are extracted herein below:

“12. It is depressing to note that on account of such trumpety proceedings initiated before the courts, innumerable days are wasted, which time otherwise could have been spent for the disposal of cases of the genuine litigants. Though we spare no efforts in fostering and developing the laudable concept of PIL and extending our long arm of sympathy to the poor, the ignorant, the oppressed and the needy whose fundamental rights are infringed and violated and whose grievances go unnoticed, unrepresented and unheard; yet we cannot avoid but express our opinion that while genuine litigants with legitimate grievances relating to civil matters involving properties worth hundreds of millions of rupees and criminal cases in which persons sentenced to death facing gallows under untold agony and persons sentenced to life imprisonment and kept in incarceration for long years, persons suffering from undue delay in service matters—government or private, persons awaiting the disposal of cases wherein huge amounts of public revenue or unauthorised collection of tax amounts are locked up, detenu expecting their release from the detention orders, etc. etc. are all standing in a long serpentine queue for years with the fond hope of getting into the courts and having their grievances redressed, the busybodies, meddlesome interlopers, wayfarers or officious interveners having absolutely no public interest except for personal gain or private profit either of themselves or as a proxy of others or for any other extraneous motivation or for glare of publicity, break the queue muffing their faces by wearing the mask of public interest litigation and get into the courts by filing vexatious and frivolous petitions and thus criminally waste the valuable time of the courts and as a result of which the queue standing outside the doors of the courts never moves, which piquant situation creates frustration in the minds of the genuine litigants and resultantly they lose faith in the administration of our judicial system.”

16. There is yet another reason why we are not inclined to entertain this writ petition. The issue regarding alleged excessive and disproportionate use of force by Delhi Police, paramilitary and other security agencies, against the protesters assembled at Jantar Mantar and at various other locations across the country is already engaging the attention of the Hon’ble Supreme Court in **W.P.(Crl.) 280/2026, Shailendra Mani Tripathi Vs. Union of India** along with other connected writ petitions. Hon’ble Supreme Court in



the said matter *vide* order dated 18.08.2026 has constituted a High Powered Enquiry Committee (*hereinafter referred to as the 'HPEC'*) which is chaired by an Hon'ble retired judge of the Supreme Court, Hon'ble Mr. Justice R.Subhash Reddy, the HPEC also comprises of a former Chief Justice of Punjab and Haryana High Court, Hon'ble Mr. Justice Ravi Shankar Jha and Hon'ble Ms. Shalinder Kaur a former judge of this Court along with other members. The said order also outlines the issues to be considered by the HPEC which are extracted here under:

"b. Issues to be considered by the HPEC"

12. On the issues to be deliberated upon by the HPEC, the parties were afforded wide latitude to place before us their respective suggestions. Having perused the material placed on record by all the parties, we have been able to broadly segregate the issues emphasised by the Petitioners that call for consideration as follows:

- i. The use of excessive force and violence against protestors by police authorities and other agencies, including the deployment of pellet guns, electric batons, lathi charges, and tear gas without adequate warning or proportionality, resulting in severe bodily harm and injuries, some of which are alleged to be of a grievous and lasting nature;*
- ii. The question of ensuring a proportionate and measured police response during protests, public gatherings, and peaceful assemblies, so as to strike an appropriate balance between the maintenance of public order and the constitutional right to peaceful dissent;*
- iii. The desirability of banning the use of metallic kinetic projectiles or pellets fired from pump-action rifles or projectile-action guns, having regard to the grave and, at times, irreversible bodily harm occasioned by their deployment against protestors;*
- iv. The necessity of ensuring that police and security personnel wear proper uniforms and visible nameplates at the time of effecting arrests or using force during crowd- control operations, so as to secure accountability and enable the identification of individual officers;*
- v. An enquiry into the allegations pertaining to the monitoring and surveillance of protestors by police personnel, and the extent to which such measures, if undertaken, were consistent with the protestors' constitutional rights to privacy and free assembly*
- vi. The alleged incidents of targeted violence, harassment, molestation and/or any secondary victimisation directed against female protestors,*



- which, given the gravity and sensitivity of the allegations, warrant a focused and expeditious enquiry;*
- vii. The provision of medical and other requisite support, including award of compensation, to victims of alleged police abuse, including the manner and adequacy of such support extended thus far;*
 - viii. Regulation of the issuance of blanket prohibitory orders under Section 163 of the Bharatiya Nagarik Suraksha Sanhita, 2023, so as to prevent their use as a routine or pre-emptive measure that forecloses the exercise of the right to peaceful assembly rather than as a genuine, proportionate response to a real and imminent threat to public order; and*
 - ix. The establishment of strict constitutional thresholds and safeguards to prevent Section 152 of the Bharatiya Nyaya Sanhita, 2023 from being invoked as an instrument to stifle political dissent and peaceful protest, thereby ensuring that the provision remains confined to its intended purpose and is not permitted to operate as a chilling restraint upon constitutionally protected speech and assembly.”*

17. Having regard to the nature of prayer made in this petition which is confined to certain statement made by Delhi Police in relation to crowd control measures, we are of the opinion, as already observed above, that the petition does not evoke any larger public interest. While we make such observation, we do not intend to trivialise the issue raised herein, however, such matters can better be left to the authorities while reviewing such actions in introspection.

18. For all the aforesaid reasons, we are not inclined to entertain this Public Interest Litigation Petition, which is hereby dismissed.

19. There will be no order as to costs.

DEVENDRA KUMAR UPADHYAYA, CJ

TEJAS KARIA, J

SEPTEMBER 16, 2026/MJ