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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
CNR No. DLHC010438192026
+ **W.P.(CRL) 2850/2026, CRL.M.A. 28622/2026 & CRL.M.A. 28623/2026**

KUNAL YADAV & ORS.

.....Petitioners

Through: Mr. Prashant Bhushan, Mr. Anurag Tiwary and Ms. Anushka Singh, Advocates

versus

MANAN KUMAR MISHRA & ORS.

.....Respondents

Through: Mr. Amol Sinha, ASC for the State with SI Vikram and SI Harsh Kumar Ms. Simran Kumari, Mr. Virat Raj Mishra and Ms. Pooja, Advocates for R-2
Mr. Shoumendu Mukherji, Senior Panel Counsel with Mr. Abhishek Batra, Mr. Puneet Dhawan, Ms. Megha Sharma, Mr. Aniruddha Ghosh, Ms. Kaberi Sharma, Advocates for R-3 & R-4

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

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18.09.2026

1. The petitioners seek *mandamus*, directing the CBI or any other independent agency to register FIR and conduct independent investigation into the assault on the petitioners and other advocates inside and outside the premises of the Bar Council of India on the night intervening 20.08.2026



and 21.08.2026. Petitioners also seek *mandamus*, directing the Bar Council of India to preserve and hand over to the investigating agency, all CCTV recordings of the premises of the Bar Council of India pertaining to the said period. Petitioners also seek *mandamus*, directing the Bar Council of India to consider their representation dated 20.08.2026 and decide it by reasoned and speaking order.

2. At the outset, learned counsel for petitioners is called upon to address on maintainability of this writ petition in the light of availability of alternate efficacious remedy. It is also pointed out that so far as prayer clause 'C' is concerned, *prima facie*, it appears that this relief does not fall within the domain of the criminal court.

3. Learned counsel for petitioners has addressed on the above aspects of maintainability. It is submitted by learned counsel that the *mandamus* sought is only against the CBI or any other independent agency, because Delhi Police falls under the Government and Mr. Manan Mishra is a Member of Parliament of the ruling party, so unfairness of investigation is suspected. It is also submitted that the Delhi Police has not taken any action on the complaint of the petitioners. Further, it is submitted by learned counsel for petitioners that the court of learned Magistrate shall not be able to direct seizure of the CCTV footage or other investigative steps. It is further submitted that the magistrate is not empowered by law to direct investigation by the CBI. As regards prayer clause 'C', it is contended by learned counsel for petitioners that since the representation dated 20.08.2026 is intertwined with the remaining prayers, the same can be entertained by this Court through the present criminal writ petition.

4. On maintainability, no other argument has been advanced.



5. Matter is reserved for orders on maintainability.

GIRISH KATHPALIA, J

SEPTEMBER 18, 2026

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