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

# **CNR No. DLHC010455182026**

+ **W.P.(C) 14003/2026**

**ZUBER ALI**

.....Petitioner

Through: Mr. Umang Tyagi, Mr. Siddharth  
Sharma & Mr. Zuber Ali, Advs.

Versus

**UNION OF INDIA AND ANR**

.....Respondents

Through: Mr. Vinay Yadav & Mr. Ansh Kalra,  
Advs. for R-1&2.

**CORAM:**

**HON'BLE THE CHIEF JUSTICE**

**HON'BLE MR. JUSTICE TEJAS KARIA**

**ORDER**

% **23.09.2026**

1. Heard learned Counsel for the Petitioner and learned Counsel for the Respondents.
2. The concerned raised in this Public Interest Litigation is in relation to the delay in investigation of the crimes related to Protection of Children from Sexual Offences Act, 2012 (POCSO Act).
3. Drawing our attention to Section 35 of the Pocso Act, it has been argued by learned Counsel for the Petitioner that the said provision mandates that the evidence of the child victim shall be recorded within a period of 30 days from the date the Courts take cognizance of the offence. Section 35 of the Pocso Act is reproduced below:

***“35. Period for recording of evidence of child and disposal of case.—(1) The evidence of the child shall be recorded within a period of thirty days of the Special Court taking cognizance of the offence and reasons for delay, if any, shall be recorded by the Special Court.*”**

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*(2) The Special Court shall complete the trial, as far as possible, within a period of one year from the date of taking cognizance of the offence.”*

4. Our attention has also been drawn to Section 193 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS Act) wherein it has been mandated that in respect of the offence under the Pocso Act, investigation shall be completed within two months from the date on which the information is recorded by the Investigation Officer of the Police Station. Section 193(2) of the BNSS Act which is the relevant provision is reproduced below:

**“193. Report of police officer on completion of investigation. –**

*(2) The investigation in relation to an offence under sections 64, 65, 66, 67, 68, 70, 71 of the Bharatiya Nyaya Sanhita, 2023 or under sections 4, 6, 8 or section 10 of the Protection of Children from Sexual Offences Act, 2012 shall be completed within two months from the date on which the information was recorded by the officer in charge of the police station.”*

5. It has been stated by the learned Counsel for the Petitioner that there have been numerous instances where the investigation has not been completed by the investigation agency within the time stipulated by law and for the said purpose there is a need of setting up dedicated Pocso Investigation Teams in every Police District of Delhi. For the said purpose, the Petitioner has also represented the cause sought to be espoused in this Writ Petition by way of making a representation dated 05.09.2026 which has been submitted to the Commissioner of Police. The said Representation has been enclosed as Annexure A-2 to the present Petition.

6. The learned Counsel for the Respondents, on instructions, stated that the Representation dated 05.09.2026 is being attended to and necessary consultation and other processes are underway.



7. Since the Respondent No. 2-Delhi Police is already cognizant of the grievances mentioned in the Representation dated 05.09.2026 and the said Representation is also being attended to, we dispose of the present Petition with a direction to the Commissioner of Police to take appropriate steps taking into account the suggestions mentioned therein by the Petitioner. The said decision be taken within a period of three months from date. We request the learned Counsel for the Respondent No.2-Delhi Police to communicate this order to the Commissioner of Police forthwith.

8. The present Petition is disposed of in the aforesaid terms.

**DEVENDRA KUMAR UPADHYAYA, CJ**

**TEJAS KARIA, J**

**SEPTEMBER 23, 2026**

**‘gsr’**