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

CNR No. DLHC010374042026

+ **W.P.(CRL) 2439/2026 and CRL.M.A. 24714/2026**

ABDUL NASIR

.....Petitioner

Through: Mr. Kashif Athar with Mr. Faraz
Mirza, Advocates.

versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Akhand Pratap Singh, SPP with
Ms. Samridhi Dobhal along with SI
Sumit Kumar.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

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31.08.2026

CRL.M.A. 24713/2026

1. Exemption allowed, subject to all just exceptions.
2. The application stands disposed of.

W.P.(CRL) 2439/2026 and CRL.M.A. 24714/2026

1. This petition seeks for the following relief:

“a) Issue a Writ, Order, or Direction in the nature of Mandamus directing the Ld. Principal District & Sessions Judge, Rouse Avenue Court Complex, New Delhi to assign/remand the case file of State vs. Abdul Nasir & Ors. (SC No. 162/21, FIR No. 197/2019, PS Crime Branch) back to the Ld. Predecessor Court (Court of the Addl. Sessions Judge-03, Shahdara District, Karkardooma Courts, Delhi) for the limited purpose of concluding any residual arguments and pronouncing the Order on Charge.”



2. Order dated 01.08.2026 passed by High Court of Delhi transferring and designating various Courts within the NCT of Delhi would indicate that an exception has been carved out to the cases where the Presiding Officers had reserved orders/judgments to be pronounced before they relinquish the charges, however, there is no exception for the cases where the cases have not formally been reserved for orders/judgments.
3. In the present case, learned counsel appearing for the petitioner made an endeavour to state that the arguments on charge were heard except for one accused person who was also granted liberty to make his submissions before 25.05.2026. The overall order-sheets, however, indicate that the arguments on behalf of the said accused person were never concluded.
4. The Court thus finds that the instant case would not fall within the exception clause (viii) of the order dated 01.08.2026, therefore, the matter has to be transferred to the designated Court under MCOCA.
5. Mr. Akhand Pratap Singh, learned SPP appearing for the State has also brought on record the office order dated 04.08.2026 whereby the Courts have been specifically designated for the MCOCA matters.
6. With respect to apprehension of the petitioner's counsel that the designated Court will further take a longer time in concluding the arguments for charge is concerned, Mr. Singh's statement is placed on record who has stated that no adjournment shall be sought on behalf of the Investigating Agency and they will conclude their arguments in one go (maximum two dates). Learned counsel appearing for the petitioner also submits that they will also not seek for any adjournment.
7. In view of the aforesaid, it is directed that the order on charge be



passed within a period of three months from the date of first hearing before the newly designated Court. Accordingly, the apprehension of delay raised by the petitioner is also duly taken care of.

8. With these observations, the petition stands disposed of. Pending application also stands disposed of.

PURUSHAINdra KUMAR KAURAV, J

AUGUST 31, 2026

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