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

+ W.P.(CRL.)2773/2024, CRL.M.A.27100/2024,

CRL.M.A.27101/2024, CRL.M.A.27252/2024

SHASHI KATIYAR

.....Petitioner

Through: Mr. Deepak Prakash, Mr. Nachiketa
Vachpayee, Mr. Ragul Suresh, Ms.
Divyangna Malik and Ms.
Priyamvada Singh Solanki,
Advocates.

versus

STATE OF HARYANA

.....Respondent

Through: Mr. Sanjeev Bhandari, Ld. ASC with
SI Jogender P.S. Maurya Enclave.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

09.09.2024

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1. A Criminal Writ Petition under Article 226 of Constitution of India read with Section 528 of BNSS has been filed on behalf of the petitioner to declare the arrest of the accused Ankush Katiyar and all consequential proceedings as illegal and in violation of fundamental rights of the petitioner guaranteed under Article 21 and 22 of Constitution of India in relation to FIR No.277/2024 dated 12.04.2024 under Section 120B and 420 IPC and Section 3 HPID Act, P.S. EOW, Gurgaon Sadar and to direct immediate release of the accused in the said case.



2. Learned counsel on behalf of Delhi Police has appeared on advance Notice.
3. Submissions heard.
4. This is an FIR registered at District Gurgaon. The arrest has been made by Haryana Police and the accused thereafter had been taken to Haryana. The only role of Delhi Police was that the Police officials had recorded the DD entry at P.S Maurya Enclave, about the presence of the Officials of Haryana Police who had come to Delhi for effecting the arrest of the petitioner. The Arrest Memo, if any, has been prepared by Haryana Police. Illegality if any, is committed by Haryana Police.
4. The petition does not disclose any cause of action within the jurisdiction of this Court.
5. The petitioner is at liberty to pursue his remedy before the Court of appropriate jurisdiction.
6. The petition is accordingly disposed of along with the pending applications.

NEENA BANSAL KRISHNA, J

SEPTEMBER 9, 2024/va