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

+ W.P.(CRL) 3076/2024

MUSTAFA HAJI

.....Petitioner

Through: Mr. Vikram Hegde, Mr. Hansaraman
Abhinav and Mr. Harsh Jain,
Advocates.

versus

THE STATE OF NCT OF DELHI & ANR.Respondents

Through: Mr. Tushar Mehta, SGI with Mr.
Chetan Sharma, ASG, Mr. Amit
Tiwari, CGSC and Mr. Kanu
Agarwal, Mr. Madhav Singhal, Mr.
Amit Gupta, Mr. Vinay Yadav, Mr.
Saurabh Tripathi, Mr. Vikramaditya
Singh, Mr. Shubham Sharma, Mr.
Shrey Sharawat, Mr. Himanshu
Bidhuri, Mr. Ayush Tanwar, Mr.
Rahul Bhaskar, Advocates and Mr.
R.R. Singh, DCP Outer North for
Delhi Police.
Mr. Sanjay Lao, Standing Counsel
with Mr. Amol Sinha, Addl. Standing
Counsel for State of NCT of Delhi.

+ W.P.(CRL) 3077/2024

AZAD

.....Petitioner

Through: Mr. Anurag Ojha, Mr. Kamlesh Kr.
Mishra, Mr. Pankaj Sinha, Mr. Dipak
Raj, Mr. Shubham Kumar, Mr. Aditya
Kailash Kr. Jha and Mr. Raghunath
Pathak, Advocates.

versus



COMMISSIONER OF POLICE AND ORS

.....Respondents

Through: Mr. Tushar Mehta, SGI with Mr. Chetan Sharma, ASG, Mr. Amit Tiwari, CGSC and Mr. Kanu Agarwal, Mr. Madhav Singhal, Mr. Amit Gupta, Mr. Vinay Yadav, Mr. Saurabh Tripathi, Mr. Vikramaditya Singh, Mr. Shubham Sharma, Mr. Shrey Sharawat, Mr. Himanshu Bidhuri, Mr. Ayush Tanwar, Mr. Rahul Bhaskar, Advocates and Mr. R.R. Singh, DCP Outer North for Delhi Police.

Mr. Sanjay Lao, Standing Counsel with Mr. Amol Sinha, Addl. Standing Counsel for State of NCT of Delhi.

Mr. Tushar Sannu, Advocate for GNCTD with Mr. Sahaj Karan Singh, Advocates.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

03.10.2024

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1. While W.P.(Crl.) 3076/2024 was mentioned before this Court at 01:15 p.m. on 01st October, 2024, W.P.(Crl.) 3077/2024 was mentioned at 04:40 p.m. before this Court on 01st October, 2024. Both these writ petitions were directed to be listed on the next working day i.e. 03rd October, 2024.

2. It is pertinent to mention that the present writ petitions have been filed seeking release of Mr. Sonam Wangchuk and other persons associated with him and Kargil Democratic Alliance and to permit them to enter Delhi to conduct *padyatra* to peacefully raise their demands. The petitioners further



challenge the order dated 30th September, 2024 passed by Commissioner of Police, Delhi under section 163 Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) (corresponding to old section 144 Cr.P.C.).

3. Learned Solicitor General of India, who appears on advance notice, states that the impugned order dated 30th September, 2024 has been withdrawn by the Commissioner of Police vide order dated 02nd October, 2024. He has handed over a photocopy of the said order. The same is taken on record. He further states that Mr. Sonam Wangchuk and his associates have been set free and their movements are not restricted.

4. Learned counsel for the petitioner in W.P.(CrI) 3076/2024 confirms the fact that Mr. Sonam Wangchuk and his associates have been set free.

5. In view of the aforesaid, the present writ petitions are disposed of as satisfied.

CHIEF JUSTICE

TUSHAR RAO GEDELA, J

OCTOBER 3, 2024

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