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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(CRL) 721/2025, CRL.M.A. 6664/2025-For direction to resp
to file status report and release the petitioner in the interim

APARNA PURI

.....Petitioner

Through: Mr. Vishal Gosain, Mr. Arshdeep
Singh Khurana, Ms. Neeha Nagpal,
Mr. Malak M. Bhatt, Mr.
Vishvendra Tomar and Ms. Shreya
Shree Singh, Advocates

versus

STATE OF NCT OF DELHI & ORS.

.....Respondents

Through: Ms. Rupali Bandhopadhyia, ASC
for the State with Mr. Abhijeet
Kumar, Advocate

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

17.03.2025

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1. The petitioner vide the present petition under Article 226 of the
Constitution of India read with Section 528 of Bharatiya Nagrik Suraksha
Sanhita, 2023 (BNSS) seeks the following reliefs:-

*“a. Pass a Writ, order or direction in the nature of a
Mandamus or any other appropriate writ directing the jail
superintendent to inform the status of other ongoing cases
& production warrants, received by the jail with respect to
all matters pertaining to the Petitioner; and/or
b. Pass a Writ, order or direction in the nature of a
Mandamus or any other appropriate writ directing the jail
authorities to not withhold the release of the Petitioner on
the basis of those production warrants where the date of
appearance has already lapsed/expired and this Hon’ble
Court may further direct the jail authorities to not consider
the case as ‘pending’ where the production warrant for a
specific date has already exhausted and there is no fresh*



production warrants from the court concerned in terms of section 304 (c) of BNSS (earlier Section 269 (c) of the CrPC); and/or

c. Pass any other/further order(s) or direction(s) as this Hon'ble Court may deem fit and proper in the interest of justice."

2. Notice was issued on 03.03.2025 and when the matter was listed on 10.03.2025 thereafter, the learned ASC (wrongly noted as APP) appearing for the State sought time to bring the Status Report on record. Today, the Status Report is on record.

3. Learned counsel for the petitioner, relying upon the order dated 19.05.2020 passed in W.P. (Crl.) 822/2020 "**Anil Mittal v. State of NCT of Delhi & Ors.**", submits that the steps taken by the Jail Superintendent have to be in accordance with Section 304(C) of the Bharatiya Nagrik Suraksha Sanhita, 2023 (BNSS) [Section 269(C) of the Cr.P.C.].

4. Learned ASC appearing for the State, relying upon the contents of the Status Report submits that all actions by the Jail Superintendent, CJ-06, Tihar Jail, New Delhi shall be taken in accordance with law. In fact, the relevant substratum of the Status Report is reproduced as under:-

"4. That the petitioner has been acknowledged about outstation cases and as per DPR-2018 Rule 1370. "The permission of Chief Metropolitan Magistrate, Delhi shall be obtained after receiving of the production warrant from other state, if in case the permission is declined or not received, the intimation, the intimation for non-production shall be sent to the concerned court of the other state".

5. That the permission from concerned court & Hon'ble chief judicial permission has been obtained, to be produce UTP through VC. (Copy of the same is enclosed as Annexure "A.") all efforts are made to connect the hearing through VC but unable to connect, due to poor connectivity.

6. That the Petitioner has got bail via order dated 25.02.2025 in case FIR No.-ECIR/GNZO/07/2022, U/S-3 PMLA ACT, P/S-CBI in Delhi



Court and shall be transfer to the outstation state court after getting Release Warrant in Delhi case as per DPR 2018. As per jail records release warrant in Delhi case not received in jail till date.

7. That As per DPR rule 1371 "In case the next date of production is not available & no other case is pending against him in Delhi or of other states, Undertrial Prisoner shall not be released automatically in the absence of judicial remand. All efforts should be made to procure the next date of production or the inmate be made to appear before the concerned court for extension of judicial remand or for disposal of his case.""

5. As such, in view of the aforesaid statement made by the learned ASC appearing for the State, since the prayers sought by the petitioner herein are satisfied, there is nothing surviving in the present petition. Accordingly, the present petition alongwith pending application is disposed of.

6. Needless to say, the petitioner is free to approach this Court in accordance with law.

SAURABH BANERJEE, J

MARCH 17, 2025/akr