



\$~19

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

+ **W.P.(CRL) 928/2025 & CRL.M.A. 8727/2025**

**APARNA PURI**

.....Petitioner

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

versus

**STATE GOVT. OF NCT OF DELHI AND ORS. ....Respondents**

Through: Mr. Sanjay Lao, Standing Counsel (Crl.) with Ms. Priyam Aggarwal and Mr. Abhinav Kr. Arya, Advocate for State along with Raj Singh Meena, Law Officer and Rajender Prasad

**CORAM:**

**HON'BLE MR. JUSTICE CHANDRA DHARI SINGH**

**HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI**

**ORDER**

%

**27.03.2025**

1. The instant petition under Article 226 of the Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been filed on behalf of the petitioner seeking relief in the nature of *habeas corpus* or any other appropriate writ directing the Jail Superintendent, Central Jail No. 6, Tihar Prison for the immediate release of the petitioner from the alleged illegal custody and detention.

2. Learned Standing Counsel appearing on behalf of the State submitted that the instant petition is premature as the release warrant pursuant to order



dated 25<sup>th</sup> February, 2025 passed by the learned Special Judge, PC Act (CBI) -14, Rouse Avenue District Court, New Delhi in ECIR/GNZO/07/2022, granting bail to the petitioner was received by the Jail Superintendent only on 25<sup>th</sup> February, 2025.

3. It is submitted that the petitioner is not held in custody in any of the pending cases, except for one case i.e., a complaint filed under Section 138 of the Negotiable Instruments Act, 1881 (hereinafter “NI Act”) bearing case number 1100/2016 pending before the learned JMIC, Kaithal Court, Haryana.

4. In pursuance of the order dated 25<sup>th</sup> March, 2025, learned counsel appearing on behalf of the petitioner had filed an affidavit-cum-undertaking dated 26<sup>th</sup> March, 2025, however, the same is not on record. During the course of arguments, learned counsel for the petitioner placed the said affidavit before this Court, which is taken on record. It is stated in the affidavit that the release of the petitioner be permitted in terms of the undertaking given by the petitioner in paragraphs no. 2 and 5, which read as under:

*“2. That I have been granted regular bail vide order dated 25.02.2025 by the Learned Special Judge, PC Act (CBI) -14, Rouse Avenue District Court, New Delhi, in connection with ECIR/GNZO/07/2022. The requisite bail bonds in pursuance of order dated 25.02.2025 have also been furnished before the Ld. Trial Court and the release order has been passed accordingly.*

\*\*\*

*5. That I hereby undertake to appear in all the pending cases against me, more particularly in case bearing no. 1100/2016 u/s 138 of Negotiable Instruments Act, 1881 which is pending before the Hon’ble Court of Ld. Ms. Sandeep Kaur, JMIC, Kaithal, Haryana, and to take all appropriate legal recourse in relation to the same.”*



5. In light of the foregoing submissions and undertaking given by the petitioner, it is prayed that the petitioner may be released from custody.

6. At this juncture, learned Standing Counsel for the State and the two concerned officers present before this Court submitted that they have 'no objection' if the petitioner/detenué is released from custody in terms of the affidavit-cum-undertaking given by the petitioner, which has been extracted in the foregoing paragraphs.

7. Heard learned counsel for the parties and perused the material on record, including the affidavit-cum-undertaking of the petitioner, which is taken on record.

8. It is observed that the petitioner has already been granted regular bail by the learned Special Judge, PC Act (CBI)-14, Rouse Avenue District Court, New Delhi in ECIR/GNZO/07/2022. Upon perusal of the record, it is also observed that though various cases are pending against the petitioner, however, she is not in custody in any of the said cases, except for the case pending before the learned JMIC, Kaithal, Haryana i.e., pertaining to the complaint filed under Section 138 of the NI Act.

9. It is observed that the petitioner has undertaken vide affidavit-cum-undertaking to appear in all the pending cases, in particular the proceedings pending before the learned JMIC, Kaithal, Haryana regarding the complaint filed under Section 138 of the NI Act and to take all appropriate legal recourse in that regard. Further, the State has expressed 'no objection' to the release of the petitioner in terms of the said undertaking.

10. Taking into consideration the submissions made on behalf of the parties and the contents of the affidavit-cum-undertaking of the petitioner,



the Jail Superintendent, Central Jail No. 6, Tihar Prison is, hereby, directed to release the petitioner forthwith. The petitioner is further directed to appear before the learned JMIC, Kaithal, Haryana on 29<sup>th</sup> March, 2025, i.e., the date fixed before the said Court.

11. In view of the foregoing facts and circumstances, the instant petition along with pending application(s), if any, is disposed of.

12. *Dasti.*

**CHANDRA DHARI SINGH, J**

**ANUP JAIRAM BHAMBHANI, J**

**MARCH 27, 2025**

Rk/anr

*Click here to check corrigendum, if any*