



\$~28

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

+ **W.P.(CRL) 1761/2025**

VIKAS TOKAS @ VICKY

.....Petitioner

Through: Ms. Naiem Jahan, Advocate
(DHCLSC)

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Ms. Rupali Bandhopadhyaya, ASC for
the State with Mr. Abhijeet Kumar,
Ms. Amisha Gupta, Advocates along
with Insp. Sahi Ram, PS Vasant Vihar

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

14.10.2025

%

1. On 18th August, 2025, this Court passed the following order:

“CRL.M.A. 16389/2025 (exemption)

1. Allowed, subject to all just exceptions.

W.P.(CRL) 1761/2025

2. The petitioner has assailed Order No. F.10(3725553)/CJ /Legal/PHQ/2025/1662 dated 08.05.2025, whereby his application for being released on furlough was rejected.

3. None appears on behalf of petitioner.

4. However, learned counsel for respondent state appearing on advance intimation points out that the petitioner filed yet another petition for same relief and that petition W.P.(Crl) 2241/2025 was allowed by a coordinate bench of this court. The said order is accepted across the board, to be scanned and made part of the record.

5. Not just the petitioner, even counsel for the petitioner appears to be the same counsel, who filed the previous petition. As per record of this case, the present petition was filed by Mr. Uday Chauhan, jail visiting advocate of DHCLSC and the counsel who appeared on 26.05.2025 in this case was Ms. Naiem Jahan Heena, Advocate. Same Ms. Naiem



Jahan Heena, Advocate appeared before the coordinate bench in W.P.(Crl) 2241/2025. It is indeed a serious issue. It needs to be ascertained if DHCLSC is maintaining any record of the proceedings filed through legal aid counsel in order to ensure no duplicity of the proceedings.

6. Copy of this order be sent to DHCLSC with the direction to submit a detailed report.

7. Notice be also issued to the counsel Mr. Uday Chauhan, Advocate, who filed the present petition despite pendency of another petition for same relief and having not appeared today.

8. Relist on 14.10.2025.”

2. In compliance with the Court’s directions, the compliance report has been received from Delhi High Court Legal Services Committee to the following effect:

“Respected Sir,

In compliance of order dated 18.08.2025 passed in "Writ Petition (Criminal) No. 1761/2025 case titled Vikas Tokas @ Vicky Vs. State of NCT of Delhi “by Hon'ble Mr. Justice Girish Kathpalia wherein it was directed to submit a detailed report regarding the duplicate filing of the writ petition.

In this regard it is submitted that:-

A. On receipt of the order, DHCLSC took prompt action and explanation has been sought from Mr. Uday Chauhan Ld. JVA, DHCLSC and Ms. Naiem Jahan Heena Ld. Arguing Counsel of Criminal Panel II, DHCLSC vide email dated 15/9/2025.

B. Mr. Uday Chauhan vide email dated 19/9/2025 submitted that he had neither filed the present petition i.e. writ petition (crl) No. 1761/2025 nor he had filed the writ petition (crl) No. 2241/2025 which was disposed off. In fact Mr. Chauhan is on Jail Visiting Panel and had only drafted one single writ petition on behalf of the inmate Vikas Tokas on 13/5/2025 at the Legal Cell of Central Jail No. 14, Mandoli, Delhi and scanned/soft copy of the same was duly forwarded by the Jail Superintendent on 19/5/2025 to DHCLSC via email and thereafter DHCLSC vide appointment letter dated 21/5/2025 marked/assigned the same to Ms. Naiem Jahan Heena, Ld. Arguing Counsel of Criminal Panel II for filing and arguing the same before the Hon'ble High Court (copy attached). Vide email dated 17/9/2025 it is admitted by Ms. Naiem Jahan Heena, LAC that the said case was filed by her twice inadvertently. Her clerk had filed it by mistake. She has further apologized for the same and submitted that this kind of mistake will not be repeated in future (copy attached).



It is pertinent to mention that Delhi High Court Legal Services Committee takes proper caution during marking of the case received from the Jail and as per the record the matter was marked only once to Ms. Naiem Jahan Heena and it is the said counsel who inadvertently file it twice without intimation to the committee.

The report is submitted with a request to kindly place the same before the Hon'ble Court where the said matter is listed for 14.10.2025."

3. In view of the above clarification, no further directions are deemed necessary, as Ms. Naiem Jahan Heena has already tendered an apology for the inadvertent error on her part, with the assurance that the same shall not be repeated again.
4. Disposed of.
5. The file be consigned to the Record Room.

SANJEEV NARULA, J

OCTOBER 14, 2025/ab