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

+ **W.P.(CRL) 2911/2024**

AKASH @ HUNNY @ HANNY

.....Petitioner

Through: Ms. Shubhlaxmi Dubey, Advocate

versus

THE STATE NCT OF DELHI AND ORS.

.....Respondents

Through: Mr. Sanjeev Bhandari, ASC (Crl)

Mr. Atul Guleria, SPP for CBI

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

28.03.2025

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[Physical Hearing/Hybrid Hearing (as per request)]

1. Petitioner seeks directions to the jail authorities to continue/resume five minutes daily phone call/videoconference facility and jail mulakat facility of petitioner. No representation in this regard was made by petitioner before the jail authorities. However, before the predecessor bench the stand taken by the jail authorities was that since petitioner is a habitual offender, his facility in question has been stopped in terms with circular dated 22.04.2024. Learned counsel for petitioner has today taken me through the definition of "*habitual offender*" under Madras Restriction of Habitual Offenders Act, which is applicable to Delhi vide notification dated 11.12.1951 (Annexure-L). According to the learned counsel for petitioner, the petitioner does not fall in the said category.
2. Considering the above circumstances, the respondents no.2 and 3 are directed to treat the present petition as representation of the petitioner and



decide the same within two weeks from today.

3. Accordingly, the petition is disposed of, granting liberty to the petitioner to institute fresh proceedings depending upon the decision taken or not taken by respondents no. 2 and 3 within the above mentioned time period.

4. For compliance, copy of this order be sent to respondent no.4.

GIRISH KATHPALIA, J

MARCH 28, 2025/rk

Click here to check corrigendum, if any