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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 2890/2025 & CRL.M.A. 26993/2025**
MUSTAKEEM @ BHURAPetitioner

Through: Mr. Bipin Kumar Jha, Advocate.

versus

STATE GOVT. OF NCT DELHI AND ORS.Respondents
Through: Mr. Amol Sinha, ASC (Crl.) with Mr.
Kshitiz Garg, Mr. Ashvini Kumar,
Ms. Chavi Lazarus, Mr. Nitish
Dhawan and Ms. Sanskriti Nimbekar,
Advocates for State.
SI Hemant Kumar, P.S. Jafrabad.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

% **ORDER**
10.09.2025

1. The Petitioner, Mustakeem @ Bhura, who has been implicated in 32 cases, submits that he has been acquitted in 30 of them. In the remaining two cases, he has been convicted under Section 411 of the Indian Penal Code, 1860. He states that he has already undergone the sentence in one of the cases, and the sentence in the other stands suspended during the pendency of an appeal before this Court.
2. The Petitioner's limited grievance in the present writ petition, filed under Article 226 of the Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, pertains to his classification as a "Bad Character" at P.S. Jafrabad, Delhi. In this regard, he seeks the



following relief(s):

“a. *Allow the present Writ Petition and issue the appropriate writ / order / directions to the respondents to delete/remove the name of the petitioner from the list of BC (Bad-Character) of the police station Jafrabad, Delhi and further direct the respondent No. 4 and his officials not to harass the petitioner and stop to visit the house of the petitioner unnecessary.*”

3. Mr. Amol Sinha, ASC (Crl.) for the State, submits that the Petitioner’s acquittals or convictions do not affect the status of an individual as a ‘Bad Character’. He clarifies that such classification is reviewed periodically, and in the absence of any fresh involvement in criminal activity, an individual’s name undergoes a progressive review mechanism, first from Bundle (a) to Bundle (b), and then to Bundle (c), eventually leading to the removal of their names, in accordance with Rule 23.10 of the Punjab Police Rules, 1934. This Rule provides for the categorisation and custody of history sheets maintained at each police station as follows:

“23.10. Custody of history sheets.

(1) *The history sheets at each police station shall be kept in three separate bundles as follows: -*

(a) *Bundle containing the history sheets of persons whose names are entered in the surveillance register.*

(b) *Bundle containing the history sheets of persons whose names are not entered in the surveillance register and which have not been removed to personal files under rule 23.12. In this bundle should be recorded the history sheets of persons who (1) have been removed from surveillance on probation owing to there being no recent complaints against them, but who cannot be said definitely to be no longer addicted to crime, (2) have been the subject of action under rule 23.30, but have not yet been placed on security for good behavior or under surveillance.*

(c) *Bundle containing the history sheets of bad characters undergoing sentences of imprisonment sufficient long to justify the removal of their names from the surveillance register until their release. These history sheets shall be put up by the officer in charge of the police*



station before a gazetted officer for orders six months before the nominal date of the release of the bad character concerned...”

4. Mr. Sinha explains that the purpose of placing an individual on the ‘Bad Character’ list is to facilitate lawful surveillance based on their criminal history, and not to cause harassment. He asserts that any visits made to the Petitioner’s residence are in accordance with the Punjab Police Rules.

5. Regarding the removal of the Petitioner’s name from the list, Mr. Sinha informs the Court that it is not feasible at this stage, as the Petitioner has recently been implicated in another criminal case involving offences under the Arms Act. In this regard, it is pointed out that FIR No. 0362/2025 was registered on 3rd August, 2025, at P.S. Dayalpur, under Section 310(2) of the Bharatiya Nyaya Sanhita, 2023, and Sections 25 and 27 of the Arms Act, 1959. A copy of the FIR has been provided to the counsel for the Petitioner in Court.

6. In view of the above, the Court is of the opinion that no direction can be issued for the removal of the Petitioner’s name from the list. As regards the visits by police officials to the Petitioner’s residence, it is directed that the same shall be conducted as permissible and in accordance with law.

7. With the above directions, the present petition is disposed of.

SANJEEV NARULA, J

SEPTEMBER 10, 2025/as