



2025:DHC:8718-DB



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 15010/2025, CM APPL. 61770/2025 & CM APPL. 61771/2025

NAVEEN VEDIPetitioner

Through: Mr. Nitin Joshi, Adv.

versus

UNION OF INDIA & ORS.Respondents

Through: Mr. Rohan Jaitley, CGSC with
Mr. Dev Pratap Shahi, Mr. Varun Pratap
Singh and Mr. Yogya Bhatia, Advs. with AC
Paramveer Singh, BSF

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

HON'BLE MR. JUSTICE OM PRAKASH SHUKLA

ORDER (ORAL)

% **26.09.2025**

C. HARI SHANKAR, J.

1. The prayer clause in this writ petition reads, thus:

“It is, therefore, most respectfully prayed that in view of the submissions made above and those to be urged at the time of hearing, Your Lordship may be pleased to issue an appropriate writ, order of direction in the nature of-

(i) a writ of Mandamus for seeking directions to the Respondents to order release of the Petitioner from Bhondsi District Jail, Gurugram, Haryana, on suspension of sentence till disposal of his appellate remedies in the nature of statutory petition under section 117(2) of the BSF Act, 1968 and section 118 of the BSF Act, 1968; and/or

(ii) A writ of Mandamus directing the Respondent no. 3 to dispose the petition under section 117(1) of the BSF Act, 1968 in a time-bound manner and/or



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(iii) Any other appropriate and incidental write(s) in the interests of justice,”

2. We are inclined, at this stage, to dispose of this writ petition in terms of the alternate prayer (ii) contained therein. Mr. Joshi very candidly acknowledges that the disposal of the petitioner’s representation under Section 117(2) which is wrongly noted as under Section 117(1) of the BSF Act in the prayer clause, would be necessary before the petitioner can get suspension of sentence.

3. Accordingly, as the petitioner is incarcerated, we dispose of this writ petition with a direction to the respondents to take a decision on the petition under Section 117(2) of the BSF Act positively within a period of three weeks from today and communicate it to the petitioner, as well as to Mr. Joshi at his email id, forthwith.

4. Failure on the part of the respondents to do so would permit the petitioner to revitalise this petition and seek suspension of sentence.

5. The petition is accordingly disposed of.

C. HARI SHANKAR, J

OM PRAKASH SHUKLA, J

SEPTEMBER 26, 2025/AR