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

+ **W.P.(CRL) 3427/2025**

MANGAL PANDEY

.....Petitioner

Through: Mr. Aslam Ahmed, Mr. Shabiesta Nabi, Mr. Mohammed Zahid, Mr. Abhishek Dwivedi and Mr. Zeeshan Haider, Advocates.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Rupali Bandhopadhyia, ASC for the State along with Mr. Abhijeet Kuar and Ms. Amisha Gupta, Advocates.
Insp. Bhanwar Singh, IFSO/Special Cell, Delhi.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

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16.10.2025

1. The present petition under Article 226 and 227 of the Constitution of India read with Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023² seeks the following relief:

Issue an appropriate writ, order or direction to the IO concerned not to take any coercive action against the Petitioner including arrest in FIR No. 116/2024 dated 03.04.2024, P.S Special Cell, Delhi, on such terms and conditions as this Hon'ble Court may deem fit and proper.

2. Ms. Rupali Bandhopadhyia, ASC for the State, objects to the



maintainability of the present petition. She submits that the Petitioner's anticipatory bail application has already been dismissed by the Sessions Court by order dated 20th September, 2025, and that the appropriate remedy available to the Petitioner is to seek pre-arrest bail.

3. Mr. Aslam Ahmed, counsel for the Petitioner, acknowledges this fact and submits that there are certain aspects relating to the Petitioner having undergone jail time in another connected matter, has not appropriately considered by the Sessions Court while rejecting the bail on 20th September, 2025.

4. Be that as it may, Mr. Ahmed seeks leave to withdraw the present petition with liberty to apply for bail under the provisions of BNSS.

5. Leave and liberty as prayed for, are granted. All rights and contentions of the parties are left open.

SANJEEV NARULA, J

OCTOBER 16, 2025/MK

² "BNSS"