



\$~71

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

+ **TR.P.(CRL.) 94/2025 & CRL.M.A. 35316/2025**

KARISHMA & ANR.

.....Petitioners

Through: Mr. Aditya Dhawan, Ms. Kiran Dhawan, Mr. Saurabh Duggal, Mr. Anirudh Negi, Mr. Adnan Hussain, Advocates.

Versus

STATE (NCT OF DELHI)

.....Respondent

Through: Mr. Sanjeev Bhandari, ASC for the State with Insp. Ajeet Kumar, PS Sagarpur.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

%

27.11.2025

1. This petition under Section 447 read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023¹, seeks transfer of case pertaining to FIR No. 418/2025 dated 28th August, 2025, registered at P.S. Sagar Pur, Delhi, under Sections 21 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985², from the Court of ASJ/Special Judge (NDPS Act), Patiala House Courts, New Delhi, to the designated Court of Special Judge, NDPS Act, Central District, Delhi.

2. Counsel for the Applicant places reliance on an order dated 1st August, 2025, passed in TR.P.(CRL.) 56/2025, wherein this Court had

¹ "BNSS"

² "NDPS Act"



allowed a transfer request in similar circumstances, noting that the Principal District and Sessions Judge had sought reassignment of the matter as the concerned Special Judge (NDPS Act) had recused himself. The recusal was on the ground that Mr. Aditya Dhawan, Advocate, had previously worked with the Presiding Judge, and therefore, in all matters where he files a Vakalatnama, the Presiding Judge is recusing from hearing the matter.

3. Mr. Dhawan submits that in the present case, the proceedings before the NDPS Court are at the initial stage and no bail application is presently pending. The Applicant seeks to file a bail application and has approached him for representation. He submits that since he has earlier worked with the Presiding Judge, and in similar situations the Presiding Judge has recused himself, as evident from orders handed over across the Board and taken on record. It is thus submitted that it would be appropriate that the subject case be also transferred. He clarifies that the request is being made solely to avoid any procedural delay, as upon his filing of Vakalatnama, an order of recusal would follow, which would thereafter require a request from the Principal District and Sessions Judge for transfer. He emphasizes that there is no other reason for seeking transfer, and that the request is made only on a genuine ground to ensure that the proceedings progress without unnecessary delay.

4. Mr. Sanjeev Bhandari, ASC for the State, confirms that no bail application by any of the co-accused is pending before the said Judge.

5. In view of the foregoing and considering the facts noted above, the Petitioner's request is allowed. The case pertaining to FIR No. 418/2025 shall stand transferred from the Court of the ASJ/Special Judge (NDPS Act), Patiala House Courts, New Delhi, to the designated Court of the Special



Judge, NDPS Act, Central District, Delhi.

6. Accordingly, the present petition be disposed of along with pending application(s).
7. Copy of the order be sent to the concerned Principal District and Sessions Judge, for necessary information and compliance.

SANJEEV NARULA, J

NOVEMBER 27, 2025/ab