



\$~46 & 47

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

+ CRL.M.C. 8541/2025 & CRL.M.A. 36593/2025

GP

.....Petitioner

Through: Mr. Sanjay Dewan, Sr. Adv. with
Mr. Amar Pal, Mr. Sudhir Kumar, Mr. Nikhil Goel
and Mr. Kunal Kumar, Advs.

versus

STATE OF NCT OF DELHI AND ORS.

.....Respondents

Through: Ms. Meenakshi Dahiya, APP for State
with Mr. Bhuman Bansal, Adv.
Mr. M. Hasibuddin and Ms. Gracey Sachdeva,
Advs. for R-3.

+ CRL.M.C. 8542/2025

GP

.....Petitioner

Through: Mr. Sanjay Dewan, Sr. Adv. with
Mr. Amar Pal, Mr. Sudhir Kumar, Mr. Nikhil Goel
and Mr. Kunal Kumar, Advs.

versus

STATE OF NCT OF DELHI & ORS.

.....Respondents

Through: Ms. Richa Dhawan, APP for State.
Mr. M. Hasibuddin and Ms. Gracey Sachdeva,
Advs. for R-2.

CORAM:

HON'BLE MR. JUSTICE AJAY DIGPAUL

ORDER

08.12.2025

%



1. The present petition has been filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking setting aside of the order dated 21.11.2025 passed by the learned ASJ-02, South District, Saket Courts, in Transit Bail Application No. 2255/2025 arising out of FIR No. 261/2025, Police Station Kanth, District Moradabad, Uttar Pradesh.
2. Mr. Sanjay Dewan, learned senior counsel appearing on behalf of the petitioner submitted that the proceedings before the learned ASJ have gone beyond the limited scope of a transit anticipatory bail, for which the accused respondent no. 2 had approached in the instant FIR, and that repeated directions for the purpose of seeking updates on the investigation and on the transfer of the FIR have unnecessarily prolonged the matter.
3. Mr. Dewan submits that to appreciate this grievance, it becomes necessary to note the sequence of orders passed by the learned Trial Court. On 28.10.2025, while issuing notice to the Investigating Officer of P.S. Kanth, Moradabad, the learned ASJ granted interim protection to the accused and fixed the matter for 06.11.2025. On 06.11.2025, the Bar was on strike, however, the Investigating Officer from P.S. Kanth, Moradabad, and the learned APO appeared before the Court through video conference. No adverse orders were passed, and the interim protection was continued for the next date, i.e. 07.11.2025. On 07.11.2025, further submissions were heard, and the learned APO from Moradabad informed the Court that the matter regarding transfer of the FIR to the police station of competent jurisdiction was already placed before senior officers and was under process. With this statement on record, the interim protection was again extended.



4. Thereafter, the impugned order dated 21.11.2025 records that on the said date the IO did not appear to apprise the Court of the status of transfer, and for that reason notice was again issued to him.
5. Mr. Sanjay Dewan, learned senior counsel appearing for the petitioner, submits that once the IO and APO had already appeared before the learned Trial Court on 07.11.2025 and had made a statement that the matter of transfer was being considered by the senior police officers in Moradabad, nothing further survived to justify continued pendency, especially in a transit anticipatory bail which has a very limited purpose.
6. It is further submitted that the matter before the learned ASJ was further listed on 01.12.2025, then on 03.12.2025 and the matter is listed today, i.e., on 08.12.2025 as well, on which dates the IO concerned, and the APO have not appeared to apprise the learned ASJ about the status as mentioned above. Also, the matter is now fixed for 11.12.2025.
7. Learned senior counsel further submits that the accused respondent no.2 has continued to enjoy interim protection on account of repeated adjournments, causing prejudice to the complainant and resulting in unnecessary prolongation of the matter.
8. After hearing learned counsel and examining the material placed on record, it is evident that the IO and the APO were present on 07.11.2025 and the learned Trial Court recorded the statement that the matter of transfer of FIR was under process. Thereafter, on 21.11.2025, the IO did not appear, leading to a fresh notice being issued. Additionally, the matter before the learned ASJ was further listed on 01.12.2025, then on 03.12.2025 and the matter is stated to be listed today, i.e., on 08.12.2025 as well, on which dates the IO concerned, and the APO have not appeared to apprise the learned



ASJ about the status as mentioned above. It is also informed that the next date before the learned ASJ is 11.12.2025.

9. Once the statement dated 07.11.2025 was already on record, and thereafter, no progress has been made with regard to the said issue in the continued absence of IO and the APO, there was no occasion for further repeated directions of this nature in a transit bail proceeding, which has a limited purpose.

10. Considering the aforesaid facts and circumstances, this Court considers it appropriate to direct the learned ASJ-02, South District, Saket Courts, New Delhi, to conclude the proceedings in Transit Bail Application No. 2255/2025 within a period of one week from today.

11. It is made clear that this Court has not examined the merits of the case pending before the learned ASJ.

12. In view of the above, nothing substantial remains for further adjudication in the proceedings before this Court.

13. Accordingly, the petitions and pending application (s), if any, stand disposed of.

AJAY DIGPAUL, J

DECEMBER 8, 2025/AS/ryp