



\$~15

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 4204/2025**
ANSHULPetitioner

Through: Mr. Satish Kumar Tripathi, Adv.

versus

STATE (NCT) OF DELHI & ANRRespondents
Through: Mr. Sanjay Lao, St. Counsel (Crl.)
APP with Ms. Priyam Agarwal, Mr.
Abhinav Kr. Arya & Mr. Aryan
Sachdeva, Adv. with Insp. Sandeep
Arya, PS- Madhu Vihar, East Delhi.

CORAM:
HON'BLE MR. JUSTICE VIVEK CHAUDHARY
HON'BLE MR. JUSTICE MANOJ JAIN

% **ORDER**
22.12.2025

1. The present writ petition has been filed under Article 226 of the Constitution of India read with Section 528 of *Bharatiya Nagarik Suraksha Sanhita*, 2023 ('BNSS') seeking the following reliefs:-

a) Issue a writ of Habeas Corpus or any other appropriate writ, order, or direction, declaring the arrest and continued detention of the Petitioner in the present FIR No.125/2024, PS Madhu Vihar, for offences alleged under Sections 302/34/120-B/212 IPC no. as illegal and unconstitutional, being in violation of Article 22(1) of the Constitution of India and Section 47 of the Bharatiya Nagarik Suraksha Sanhita, and consequently direct the immediate release of the Petitioner from judicial custody;



- b) Quash and set aside all consequential remand orders passed by the learned Magistrate/Trial Court in FIR No. 125/2024, PS Madhu Vihar, for offences alleged under Sections 302/34/120-B/212 IPC, as the same are vitiated by the unconstitutional arrest and therefore non est in the eyes of law;*
- c) Award costs or compensation, or pass such further or other orders, directions, or writs as this Hon'ble Court may deem fit and proper in the interests of justice, equity, and the protection of fundamental rights.*
2. After hearing some arguments, learned counsel for the petitioner, on instructions, seeks permission to withdraw the present writ petition with liberty to avail appropriate alternative remedy available under the law.
3. Permission and liberty, as prayed for, is granted.
4. The present writ petition stands dismissed as withdrawn, in aforesaid terms.
5. All rights and contentions of the parties are reserved.

VIVEK CHAUDHARY, J

MANOJ JAIN, J

DECEMBER 22, 2025

yk/tr