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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 579/2025**
MD. KHURSHID ANSARI

.....Petitioner

Through: Mr. Suraj Prakash, Mr. Sahil Sharma,
Adv.

versus

THE STATE NCT OF DELHI

.....Respondent

Through: Mr. Yudhvir Singh Chauhan, APP
SI Deepak Kumar, PS Jahangir Puri

CORAM:
HON'BLE MR. JUSTICE JASMEET SINGH

ORDER
11.02.2025

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1. This is a petition filed under section 482 of BNSS seeking grant of anticipatory bail to the petitioner in the event of arrest in FIR No. 500/2023, dated 22.06.023, registered at PS Jahangir Puri under Sections 75/79 of the JJ Act, sections 3/14 of the Child Labour Act, sections 16/17/18 of the Bonded Labour Act and section 370 of IPC, 1860.
2. Mr. Chauhan, learned APP states that in the present case, NBWs have been issued against the petitioner by the Court of the concerned Metropolitan Magistrate. Further, the proceedings under section 82 of Code of Criminal Procedure, 1973 proceedings have also been initiated against the petitioner. Hence, the petitioner is not entitled to the grant of anticipatory bail.
3. On my query, Mr. Chauhan, learned APP very fairly states that no



notice under Section 41A of Code of Criminal Procedure, 1973 has been served on the petitioner in writing.

4. I am of the view that the NBWs issued against the petitioner without issuing a notice under Section 41A of Code of Criminal Procedure, 1973 may be a procedural irregularity. However, the petitioner will have to approach the concerned Court seeking cancellation of the NBWs issued against him as well as the proceedings initiated against him under section 82 of the Code of Criminal Procedure, 1973.

5. For the said reasons, a period of 2 weeks is granted to the petitioner to do the needful.

6. In the meantime, the petitioner shall not be arrested for a period of 2 weeks from today in FIR No. 500/2023, dated 22.06.2023, registered at PS Jahangir Puri under Sections 75/79 of the JJ Act, sections 3/14 of the Child Labour Act, sections 16/17/18 of the Bonded Labour Act and section 370 of IPC, 1860.

7. With these directions, the present petition is disposed of.

JASMEET SINGH, J

FEBRUARY 11, 2025 / (MS)

Click here to check corrigendum, if any