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

+ W.P.(CRL) 1395/2026

SURAJ KUMAR

.....Petitioner

Through: Mr. Arun K. Srivastava and Mr.  
G.S. Panwar, Advocates.

versus

STATE OF NCT OF DELHI & ORS. ....Respondents

Through: Mr. Sanjay Lao, Standing  
Counsel (Criminal) with Mr.  
Abhinav Kumar Arya, Ms.  
Priyam Agarwal, Advocates.

**CORAM:**

**HON'BLE MR. JUSTICE NAVIN CHAWLA**

**HON'BLE MR. JUSTICE RAVINDER DUDEJA**

**ORDER**

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**29.04.2026**

**CRL.M.A. 13426/2026 (exemption)**

1. Allowed, subject to all just exceptions.

**W.P.(CRL) 1395/2026**

2. This is a petition under Article 226 of the Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying for a Writ in the nature of *Habeas Corpus* seeking the production of Mr. Suraj Kumar, the petitioner herein, who is stated to be in illegal detention.

3. In the petition, it is claimed that certain persons, stated to be from Police Station Samaypur Badli, Delhi and Bangalore Police had forcibly entered into the house of the petitioner on 31.03.2026 and picked him up forcefully. A video clipping of the same has been



annexed with the petition. It is further stated that on 01.04.2026, on behalf of the petitioner, a complaint was filed before the Court of learned Metropolitan Magistrate , Rohini Courts, Delhi, on which the respondents filed a Status Report, claiming therein that the petitioner had been arrested under the preventive provisions of Section 126/170 of the BNSS *vide* DD No. 05A dated 02.04.2026. Claiming the detention of the petitioner to be illegal, the present petition has been filed.

4. On advance copy of the present petition, the learned Standing Counsel appearing on behalf of the State has handed over a copy of the Status Report dated 28.04.2026, wherein it is, *inter alia*, stated that the petitioner is involved in multiple criminal cases across India (approximately 167 FIRs), primarily relating to online gaming fraud and cyber offences. He is alleged to be operating a Telegram group, namely, “The Gaming Network”, and was actively involved in facilitating illegal activities by providing corporate bank accounts to his associates for carrying out online gaming frauds and cheating. One of his alleged associates, namely Deepak Chawla, was arrested and, thereafter, in the course of investigation a Police team from Bangalore approached Police Station Samaypur Badli for further lawful proceedings in FIR No. 82/2026 registered under Section 66D of the Information Technology Act, 2000 and 318(4)/319(2) of Bharatiya Nyaya Sanhita, 2023. When the Bangalore Police reached the residence of the petitioner, he deliberately threw his mobile phone, created nuisance, and attempted to flee from the spot in order to evade lawful proceedings. To stop him from indulging in acts of public



nuisance and non-cooperation, he was brought to Police Station Samaypur Badli, however, he continued to create nuisance and failed to cooperate with the Police officials, because of which, he was detained under preventive provisions of Section 126/170 of the BNSS vide DD No. 05A, dated 01.04.2026 at Police Station Samaypur Badli (this date has been wrongly mentioned as 02.04.2026 in the Status Report filed before the learned MM).

5. It is further stated in the Status Report that, thereafter, he was lawfully arrested by the Bangalore Police in relation to the abovementioned FIR and was directed to be produced before the competent Court in Bangalore on 02.04.2026. The Arrest Memo as also the Grounds of Detention were served on him and have been annexed along with the Status Report. The Status Report is taken on record.

6. Keeping in view the above averments of the respondents in the Status Report, we do find the present case to be appropriate to investigate further in exercise of our powers under Article 226 of the Constitution of India. The petitioner is at liberty to avail of his legal remedies in accordance with law.

7. The petition is disposed of with the above liberty.

**NAVIN CHAWLA, J**

**RAVINDER DUDEJA, J**

**APRIL 29, 2026/vd/sk/pb**