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

+ **W.P.(CRL) 3000/2025**

AKASH KUMAR

.....Petitioner

Through: Mr. Mukul Sharma, Mr. Satish Kumar, Ms. Anushka Thakur, Ms. Preety Kumari, Ms. Mitali Dabral, Advs.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Sanjay Lao, Standing Counsel, with Mr. Abhinav Kumar, Ms. Aryan Sachdeva, Ms. Priyam Agarwal, Advs. and SI Deepak, PS Narela Industrial Area.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

% **28.01.2026**

1. This petition had been filed under Article 226 of the Constitution of India read with Section 528 of Bhartiya Nagarik Suraksha Sanhita, 2023 originally seeking issuance of Writ in the nature of Habeas Corpus, praying for immediate release of the petitioner from the alleged illegal custody. The petitioner further prayed for compensation for alleged violation of his fundamental rights.

2. This Court, *vide* its order dated 16.09.2025, recorded the submission of the learned counsel for the petitioner that since the petitioner is in judicial custody, he restricts the present petition only to



the award of due compensation/damages consequent to his unlawful detention.

3. On 24.11.2025, this court was informed that the petitioner has filed another petition, relating to the legality and validity of his alleged illegal arrest, which was pending before the learned Single Judge of this Court. We are informed that the said petition is still pending adjudication.

4. We are of the opinion that once the petitioner has challenged the legality of his arrest and detention in form of a Writ Petition, the petitioner can also claim consequential relief in the same petition that is, W.P.(CRL) 3136/2025.

5. Reserving the said liberty, the present petition is disposed of.

NAVIN CHAWLA, J

RAVINDER DUDEJA, J

JANUARY 28, 2026/lks/ma/Yg