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

+ **W.P.(CRL) 3765/2025**

SANJAY KUMAR @ SANJU

.....Petitioner

Through: Mr. Sunil Kumar Mehta,
Advocate.

versus

UOI AND ORS

.....Respondents

Through: Mr. Shashank Bajpai, CGSC
Mr. Aashna Mehra, Mr. Vatsal
Tripathi, and Mr Govind Singh
Chauhan, Advs. for R-1.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

% **25.02.2026**

W.P.(CRL) 3765/2025

1. This petition has been filed by the petitioner, praying for the following relief:

- i) *Allow the writ petition under Article 226/227 of the Constitution of India quash the order of detention and order the release of the seized properties of the detenu.*
- ii) *Issue a Writ/Order /direction for quashing the detention order No. Home (A) A(9) -57/2024 PIT NDPS dated 15.3.2025 made by respondent no.2 U/s 3(1) PIT NDPS Act against the petitioner.*
- iii) *Pass such other or further writ/ order/ direction, which this Hon'ble court may deems fit and proper in the facts and circumstances of the case.*

2. The learned counsel for the respondent no. 1 raised a



preliminary objection on the maintainability of the present petition before this Court, by contending that the impugned detention order dated 15.03.2025 has been issued by the Department of Home, State of Himachal Pradesh. The learned counsel for the respondent no. 1 has submitted that the basis for issuing the impugned detention order had all arisen within the territory of the State of Himachal Pradesh, and the petitioner is also detained within the State. He submits that therefore, this Court lacks territorial jurisdiction to entertain the present petition and the petitioner must approach the High Court of Himachal Pradesh, if so advised.

3. On the above submissions, the learned counsel for the petitioner, as recorded in the order dated 10.02.2026 of this Court, had submitted that in terms of Section 12(1)(a) of the Prevention of Illicit Traffic in Narcotics Drugs and Psychotropic Substances Act, 1988 (hereinafter referred to as the 'PITNDPS Act'), the petitioner had made a representation dated 18.09.2025 to the Central Government, seeking revocation of his detention order. He had submitted that since the said representation had not been decided, a cause of action had arisen within the territorial jurisdiction of this Court.

4. The learned counsel for the respondent today submits that on receipt of the said representation, by emails dated 25.09.2025 and 26.09.2025, the learned counsel for the petitioner through whom the representations has been purportedly filed by the petitioner, had been informed that as the representations were not accompanied with letter of authorization from the petitioner, they shall be considered only on receipt of such authorization.



5. He further submits that the receipt of these emails stands admitted as they have been filed along with the Writ Petition. However, no response to these emails was ever sent by the petitioner nor was the letter of authorization submitted to the competent authority. Therefore, the occasion for deciding the representation never arose.

6. We have considered the submissions made by the learned counsels for the parties.

7. As would be evident from the above, the impugned detention order has been passed at Shimla, State of Himachal Pradesh; the petitioner is admittedly in detention there; and pursuant thereto, the freezing order dated 15.03.2025 under Section 3(1) of PITNDPS Act has also been passed in the State of Himachal Pradesh. Therefore, the entire cause of action has arisen in the State of Himachal Pradesh, and not within the territorial jurisdiction of this Court. The contesting party in the present petition would be State of Himachal Pradesh.

8. The only ground for invoking the territorial jurisdiction of this court, despite no specific prayer having been made to that effect, was the filing of the representations with the respondent no. 1. The respondent no. 1 had considered the said representation and stated that on merits it can be considered only when the letter of authorization from the petitioner is received. Admittedly, the letter of authorization was never submitted to the respondent no. 1 and the emails by which the letter of authorization was requisitioned from the petitioner has not been challenged before this court.

9. Accordingly, we find that we lack territorial jurisdiction to



entertain the present petition.

10. We dismiss the present petition with liberty to the petitioner to avail of his remedies in accordance with law before the Court of competent jurisdiction.

NAVIN CHAWLA, J

RAVINDER DUDEJA, J

FEBRUARY 25, 2026/lks/ma/as