

IN THE HIGH COURT OF DELHI
Delhi

Crl. Appl. 29 of 2019

Date: 10.10.2019

In the matter of:

Risabh Singh & OrsPetitioners

v.

Union of India & OrsRespondents

Coram: Hon'ble Mr. Justice Rupesh Singh
Hon'ble Mr. Justice Anil k. Thakur

Present: Mr. Anurag Kumar, Ld. Counsel for the Petitioners.

Heard Ld. Counsel for petitioners Mr. Anurag Kumar. Ld. Additional Government Advocate Mr. Vijay Kumar Kandpal appearing on behalf of State did not appear.

Heard Ld. Counsel for the petitioners who submits that one F.I.R. vide F.I.R. No. 173/19 was registered against five accused- Rishabh Singh, Virendra Singh, Vishwajeet Balhara, Sanket Aggarwal, Sushant Deep Hotla for the offences u/s 120B/395/397/398 of Indian Penal Code, 1860. The Ld. Counsel further submits that all of them were arrested by the police as shown in the arrest memo dated 25.09.2019 and they have been kept in police custody illegally without the grant of police custody by the magistrate. Police has not applied for the police custody to the concerned magistrate

and it is seriously alleged by the petitioner that these five persons are under illegal custody of the police.

This court finds the situation to issue the writ in the nature of *Habeas Corpus* and directs the DCP of East Delhi to produce all the five aforementioned accused before this bench on 12.10.2019. Ld. AGA is also requested to be present for the final hearing of this petition. The writ petition is allowed; list this matter on the next date of listing i.e. 12.10.2019.



(Rupesh Singh, J.)
(Anil k. Thakur, J.)

High court of Delhi
Delhi: 10.10.2019