



\$~64 & 65

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

+ **CRL.M.C. 320/2026 & CRL.M.A. 1207/2026**

JOHNSON K.A

.....Petitioner

Through: Mr. Pramod K. Dubey and Mr. Mohit Mathur, Sr. Advocates with Mr. Anirban Bhattacharya, Ms. Priya Singh, Mr. Manav Goyal, Ms. Pallavi Garg, Ms. Ritika, Ms. Amrita Sony, Mr. Abhishek Jaiswal, Ms. Aparna Iyer, Ms. Aastha Arora, Mr. Sanchit Aggarwal, Mr. Priyanshu Raj and Ms. Anushka Koushika, Advocates

versus

STATE NCT OF DELHI & ORS.

.....Respondents

Through: Mr. Sanjay Jain, Senior Advocate with Mr. Nishank Tripathi, Ms. Harshita Sukhija, Mr. Rishika Agarwal, Ms. Priya Tyagi and Mr. Sarfaraz Ahmad, Advocates for Delhi Police with Inspector Ramkesh, PS EOW.

Mr. Rajiv Nayar, Mr. Sidharth Luthra and Mr. Vikas Pahwa Senior Advocates with Mr. Annirudh Sharma, Ms. Devika Mohan, Mr. Sidhant Kumar, Ms. Manyaa Chandok, Mr. Om Batra, Mr. Parth Yadav, Mr. Jasmeet Singh and Mr. Abyuday Sharma, Advocates for R-2 & R-3.

+ **CRL.M.C. 321/2026 & CRL.M.A. 1209/2026**

ACHAL KUMAR JINDAL

.....Petitioner

Through: Mr. Mahesh Jethmalani, Sr. Advocate with Mr. Apoorv Agarwal, Mr. Ravi



Sharma, Mr. Manav Goyal, Mr. Abhishek Jaiswal, Ms. Aparna Iyer, Mr. Gaurav Sarkar, Mr. Siddharth Handa, Ms. Anjani Kumar Rai, Mr. Praful Kumar and Ms. Ankita Singh, Advocates

versus

STATE NCT OF DELHI & ORS.

.....Respondents

Through: Mr. Sanjay Jain, Senior Advocate with Mr. Nishank Tripathi, Ms. Harshita Sukhija, Mr. Rishika Agarwal, Ms. Priya Tyagi and Mr. Sarfaraz Ahmad, Advocates for Delhi Police with Inspector Ramkesh, PS EOW.

Mr. Rajiv Nayar, Mr. Sidharth Luthra and Mr. Vikas Pahwa Senior Advocates with Mr. Annirudh Sharma, Ms. Devika Mohan, Mr. Sidhant Kumar, Ms. Manyaa Chandok, Mr. Om Batra, Mr. Parth Yadav, Mr. Jasmeet Singh and Mr. Abyuday Sharma, Advocates for R-2 & R-3.

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

16.01.2026

%

1. In furtherance of last order, arguments had to be heard today but it already being 04:50pm and pending board, followed by an urgent administrative issue, further hearing is not possible today.
2. For the sake of convenience, the issues involved are broadly being touched so that both sides may address arguments confined to these issues.



The first FIR, which is not under challenge in the present petitions *prima facie* dealt with the issue of the alleged inducement to invest, while the second FIR which is under challenge in the present petitions deals with the alleged siphoning off funds giving specific details. Further, if there is no cognizable offence made out, the court can stay the arrest even in proceedings under Section 482 CrPC, subject to giving reasons and other factors, on which both sides need to address. On this aspect, the respondents side claims that in States where the anticipatory bail provisions operate, the stay on arrest cannot be by way of inherent powers. Of course, both sides shall be at liberty to add to the above issues and address.

3. Relist on 19.01.2026 as item no.1 & 2 of Advance List.

GIRISH KATHPALIA, J

JANUARY 16, 2026/ry