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

+ **W.P.(C) 1777/2019**

**MALKIAT SINGH**

.....Petitioner

Through: Mr. S.S. Hooda, Mr. Aayushman  
Aeron, Mr. Manpreet Singh and Ms.  
Rashmi Rawat, Advocates.

versus

**UNION OF INDIA AND ORS.**

.....Respondent

Through: Mr. Counsel (appearance not given).

**CORAM:**

**HON'BLE MR. JUSTICE NITIN WASUDEO SAMBRE**

**HON'BLE MR. JUSTICE AMIT SHARMA**

**ORDER**

**07.07.2026**

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1. The Director General of BSF issued a pardon under Section 128 of the BSF Act, 1968, in favour of the petitioner.
2. The Union of India-Ministry of Home Affairs directed the said pardon to be recalled *vide* order dated 31<sup>st</sup> July 2018.
3. Amongst other, it is contended that the Government is not vested with any such power to direct the Director General to exercise the powers in a particular way. Even otherwise, it is urged that the power under Section 128 of the BSF Act, 1968, are absolute and are not governed by the directives of the Central Government which have been issued in the present case.
4. When confronted as regards to the powers of Union of India to issue directions to Director General, BSF, to cancel order of pardon, the learned counsel for the respondents seeks time.



5. As a last chance, re-notify on 15<sup>th</sup> July, 2026.

**NITIN WASUDEO SAMBRE, J**

**AMIT SHARMA, J**

**JULY 7, 2026/bsr/ns**