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

+ **W.P.(CRL) 1702/2025 & CRL.M.A. 15893/2025**

SURENDER KUMAR

.....Petitioner

Through: Mr. Sarthak Maggon and Mr. Raunak
Parmar, Advocates.

versus

STATE (GOVT. OF NCT OF DELHI)

.....Respondent

Through: Mr. Amol Sinha, ASC for State with
Inspector Sahil Ram, PS Vasant
Vihar.

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

% **19.08.2025**

CRL.M.A. 24389/2025 (exemption)

1. Allowed, subject to all just exceptions.

CRL.M.A. 24388/2025 (for seeking lodgement of the petitioner in open jail)

2. On being pointed out that scope of the relief sought in this application travels beyond the scope of the main petition, learned counsel for petitioner submitted that it is the Division Bench of this Court in LPA No. 375/2025, which permitted the petitioner to file application before the DG (Prisons), which he did. Learned ASC submitted that he needs to check the status of application, if any, filed before the concerned authority.

3. Learned counsel for petitioner in such circumstances seeks permission to withdraw this application so that matter be posted for hearing on the main



petition.

4. Accordingly, the application is dismissed as withdrawn, making it clear that withdrawal of this application shall not stand in the way of the disposal of application submitted by the petitioner before the DG (Prisons), if not so disposed of till date. Further, as requested by learned counsel for petitioner, in case if required, he may file fresh petition in this regard.

5. Copy of this order be sent to the DG (Prisons).

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6. List for final arguments on 13.10.2025.

GIRISH KATHPALIA, J

AUGUST 19, 2025/dr