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

+ **W.P.(CRL) 2081/2025**

DEEPAK NANDA

.....Petitioner

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

versus

STATE (NCT OF DELHI)

.....Respondent

Through: Mr. Amol Sinha, ASC for State with Mr. Ashvini Kumar, Mr. Kshitiz Garg, and Mr. Nitish Dhawan, Advs.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

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01.09.2025

1. Writ Petition under Article 226 of the Constitution of India, 1950 read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ('BNSS'), has been filed on behalf of the Petitioner, for issuing the directions to Respondent to transfer the Petitioner in open prison, in view of his eligibility and consistent good conduct during incarceration.
2. Status Report has been filed on behalf of the State. However, learned ASC for the State submits that Jail Authority was under the impression that conviction is under Section 397 IPC, but this has been clarified as the conviction is under Section 394 and not 397 IPC.
3. He seeks further time for deciding the Application of the Petitioner for being transferred to open Jail.
4. Let the same be decided within two weeks and reply be filed accordingly.



5. List on 18.09.2025.

NEENA BANSAL KRISHNA, J.
SEPTEMBER 01, 2025/R