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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 3290/2024**

HASEEB ZUBER MULLA & ANR.Petitioners
Through: Mr. Pradeep Chhindra, Mr. Parth
Dhawan and Mr. Rohitashva,
Advocates.
versus

NATIONAL INVESTIGATING AGENCYRespondent
Through: None.

CORAM:
HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

% **ORDER**
21.10.2024

CRL.M.A. 31743/2024

1. Allowed, subject to all just exceptions.
2. Application is disposed of.

W.P.(CRL) 3290/2024 and CRL.M.A. 31742/2024

1. By way of present writ petition filed under Articles 226/227 of the Constitution of India, the petitioner seeks following prayers :-

“A. Issue an appropriate writ, order or direction in the nature of declaring the arrest of the Petitioner, followed by successive remand orders, being illegal and void ab initio being violative of Article 21 and 22 of the Constitution of India and Section 43B of the UAPA in relation to FIR being RC-29/2023/NIA/DLI;

B. Consequently issue a writ of mandamus thereby Directing the immediate release of the Petitioner from illegal custody, as the arrest and subsequent remand are in violation of the petitioner's fundamental right under Article 22(1) of the



Constitution of India;

C. Award appropriate compensation to the Petitioner for the violation of his fundamental rights under Articles 21 and 22 of the Constitution of India, and for the unlawful detention, fabrication of records, and the abuse of legal process by the Respondent, in a sum that this Hon'ble Court deems just and equitable in the facts and circumstances of the case;

D. Direct the Respondent to bear the costs of the present proceedings, including the legal fees incurred by the Petitioner, as the arrest and remand were carried out in complete violation of the statutory safeguards and constitutional protections guaranteed to the Petitioner.”

2. Issue notice to the respondent through all permissible modes, returnable on 16.12.2024.

MANOJ KUMAR OHRI, J

OCTOBER 21, 2024

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