



\$~52

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(CRL) 4267/2025, CRL.M.A. 38401/2025 & CRL.M.A.
38402/2025
RITIK BAJAJPetitioner

Through: Mr. Vikas Pahwa, Sr. Adv. with Mr.
Prabhav Ralli, Mr. Jasmeet S. Chadha, Mr.
Samraat Saxena, Ms. Deeya Mittal, Mr. Dev Vrat
Arya and Ms. Priyal Jain, Adv.

versus

THE STATE (GOVT. OF NCT OF DELHI) & ANR.Respondents
Through: Mr. Akhand Pratap Singh, Special
Counsel with IO/SI Shailesh.

CORAM:
HON'BLE MR. JUSTICE AJAY DIGPAUL

ORDER
23.12.2025

%

1. The present writ petition has been filed by the petitioner under Article 226 of the Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking the following reliefs:

“(a) Quash and set aside the Impugned Orders dated 07.01.2025, 07.02.2025 & 19.05.2025 passed by the Learned Additional Sessions Court, (NDPS), Patiala House Courts, New Delhi as well as the consequent Red Corner Notice dt. 09.10.2025 issued against the Petitioner herein and all consequential proceedings arising from FIR No. 455/2024 dt. 02.10.2024 P.S. Special Cell, under Sections 8/ 20/ 21/ 25/ 29 of the Narcotic Drugs & Psychotropic Substances Act, 1985;

(b) Pass any such order(s) that the Hon 'ble Court may deem fit in the interest of justice.”

2. It is noted that the present FIR No. 455/2024 was registered on



02.10.2024 at Police Station Special Cell under Sections 8, 20, 21, 25 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985. The FIR was initially registered against certain co-accused persons, and the petitioner was not named therein. During the course of investigation, the name of the petitioner surfaced for the on the basis of the disclosure statement of co-accused person.

3. It is the case of the prosecution that the petitioner is a member of a narcotics syndicate and was allegedly involved in the supply of contraband substances forming the subject matter of the present case. It is further the prosecution's allegation that the petitioner failed to join the investigation despite issuance of summons under Section 67 of the NDPS Act and, therefore, coercive steps were initiated. Upon completion of investigation, a chargesheet came to be filed on 10.06.2025, wherein the petitioner has been arrayed as an accused.

4. The present matter was listed before this Court yesterday, i.e., on 22.12.2025, when the following order was passed:

“1. Mr. Vikas Pahwa, learned senior counsel for the petitioner, has been heard for some time.

2. The Investigating Officer, who appears virtually, submits that he is currently in UAE (Dubai) and that he will be handed over the custody of the petitioner today at the Dubai International Airport.

3. The Investigating Officer further submits that he will be flying to India along with the petitioner today itself.

4. In view of the above, list on 23.12.2025.”

5. Today, when the matter is taken up, Mr. Akhand Pratap Singh learned SPP appearing on behalf of the State submits that the petitioner has been



arrested and is presently in the custody of the investigating agency.

6. The present writ petition is listed today along with the anticipatory bail application filed by the petitioner, which stands withdrawn by the petitioner vide order of even date.

7. As regards the present writ petition, this Court has perused the limited material available on record.

8. It is observed that the present writ petition was filed on 20.12.2025. When the matter was listed before this Court on 22.12.2025, the only fact placed before this Court was that the petitioner was detained by the UAE authorities pursuant to the Red Corner Notice. The same was confirmed by the learned SPP for the State. This position also finds mention in the order dated 13.12.2025 passed by the learned ASJ, whereby the anticipatory bail application of the petitioner was dismissed.

9. This Court observes that by way of the present writ petition, the petitioner has only challenged the issuance of non-bailable warrants, initiation of proclamation proceedings, declaration of the petitioner as a proclaimed offender and issuance of the Red Corner Notice.

10. Since the situation has changed and the present petition, which was filed prior to the arrest of the petitioner and where notice is yet to be issued, this Court is of the view that with the arrest of the petitioner, the present petition has to be amended to bring the new developments on record and to make necessary changes in the final prayer.

11. During the course of hearing today, learned senior counsel appearing on behalf of the petitioner was apprised of the aforesaid observations of this Court that specific consequential relief *qua* arrest has not been sought, and therefore, the present petition, either has to be amended or fresh petition is to



be filed.

12. On this, learned senior counsel for the petitioner argues that the present petition is still maintainable and requests the matter be kept post vacation.

13. In view of the aforesaid, list this matter on 23.01.2026.

AJAY DIGPAUL, J

DECEMBER 23, 2025/ar/ryp