



2025:DHC:6126



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

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Date of Decision: 28.07.2025

+ **BAIL APPLN. 580/2025**

NNAMDI EZENECHÉ

.....Petitioner

Through: Mr. Meghan and Mr. Mohd. Javed,
Advocates.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Nawal Kishore Jha, APP for State
and Mr. Siddharth Shankar Jha with
Inspector Rajender Singh, PS Narela.

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+ **BAIL APPLN. 1135/2025**

SAMUEL IKEDICHUKWU OKOMGBO

.....Petitioner

Through: Mr. Anup Kr. Das, Mr. Uday
Chauhan and Ms. Aayushi Gupta,
Advocates.

versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Nawal Kishore Jha, APP for State
and Mr. Siddharth Shankar Jha with
Inspector Rajender Singh, PS Narela.

CORAM: JUSTICE GIRISH KATHPALIA

J U D G M E N T (ORAL)

1. The accused/applicants seek regular bail in case FIR No. 160/2024 of



PS Narela for offence under Section 186/188/332/353/34 IPC and Section 14 of Foreigners Act.

2. In furtherance of last order, learned APP assisted by Inspector Rajender Singh, SHO, Narela submits that in view of the circumstances described in previous orders, State has no serious objection to this bail application except that the accused/applicants, if released on bail, be sent to the detention centre since their passports and visas have already expired.

3. Broadly speaking, the allegation against the accused/applicants is that they committed violence in the detention centre where they were detained, awaiting their deportation to the countries of their origin. In the said violence, they caused injury to one guard by twisting his arm. Out of nine detenues, two were apprehended on the spot while seven fled and out of them, six were apprehended while one is absconding. The injury caused to the said guard was only twisting of his arm. Further, it appears that despite repeated adjournments, prosecution has not been able to show legally admissible visual evidence in the form of CCTV footage of the alleged incident. According to learned prosecutor, upon completion of investigation chargesheet has already been filed and the trial has already commenced.

4. Considering the above circumstances, both these applications are allowed and the accused/applicants are directed to be released on bail subject to each of them furnishing only a personal bond in the sum of Rs. 10,000/- to the satisfaction of trial court and they be sent back to the



detention centre since neither of them has a valid passport and visa.

5. **Going a step deeper, during earlier hearings, prosecution was called upon to address submissions in order to rule out a possibility that the entire incident was fabricated to somehow help the detainees in not being deported to the countries of their origin. In this regard, paragraph 4 of the status report is crucial to be examined. It is quite surprising that footage of the CCTV cameras installed at the detention centre, namely Seva Sadan, Lampur, is being withheld from the investigator. The Department of Social Welfare alleges that the CCTV is manned by CRPF; but CRPF alleges that CCTV is manned by FRRO; but the FRRO alleges that the CCTV is manned by the Department of Social Welfare. It would be apposite to extract paragraph 4 of the status report dated Nil, filed by the SHO Narela with index dated 23.07.2025:**

“4. The incident was captured in CCTV cameras installed at SevaSadan, Lampur. To obtain the relevant footage:

- A notice under Section 91 Cr.P.C. dated 13.03.2024 was issued to the Superintendent, Department of Social Welfare, GNCTD, who responded that their department is only responsible for caretaking facilities, and that internal security is managed by the Delhi Police while external security handled by CRPF. They further stated that CCTV footage is maintained by CRPF.*
- A subsequent notice under Section 91 Cr.P.C. was issued to the Commanding Officer, CRPF, SevaSadan. In response, the Company Commander of B/27 Bn CRPF stated that the cameras are not under their unit's jurisdiction and advised to approach FRRO.*
- Another notice was issued to the Deputy Commissioner of Police, FRRO. In response, Assistant Commissioner (AFRRO) Shri*



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Harvinder Singh conveyed that CCTV cameras were installed by the Department of Social Welfare, and therefore, the required footage and Section 65B Certificate should be obtained from them.”

6. In view of the above mentioned peculiar circumstances of this case, learned APP after discussing with the SHO, Narela submits that the Chief Secretary, Government of NCT of Delhi or the Secretary, Ministry of Home Affairs would be the competent authorities to carry out the necessary inquiries/investigation. Therefore, copy of this order be sent to the Secretary, Ministry of Home Affairs, Government of India to carry out appropriate inquiry and, if necessary, investigation in accordance with law.

**GIRISH KATHPALIA
(JUDGE)**

JULY 28, 2025/DR