



2026:DHC:7679-DB



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

Date of decision: 07.09.2026

CNR No. DLHC010418542026

+ **W.P.(CRL) 2725/2026**

DHANANJAY NIVRUTTI LOKHANDEPetitioner

Through: **Mr.Naveen Kumar Raheja &
Mr.Vikram Singh, Advs.**

versus

CENTRAL BUREAU OF INVESTIGATION & ANR.

.....Respondents

Through: **Mr.Premtosh K. Mishra, SPP
for CBI with Mr.Krish Bhatia
& Mr.Vasu Agarwal, Advs.
along with Mr.B.P. Raju,
ASP/CBI.**

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MR. JUSTICE RAVINDER DUDEJA

NAVIN CHAWLA, J. (ORAL)

CRL.M.A. 27490/2026 (Exemption)

1. Allowed, subject to all just exceptions.

W.P.(CRL) 2725/2026 & CRL.M.A. 27489/2026 & 27491/2026

2. This petition has been filed under Article 226 of the Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (in short, 'BNSS Act') seeking issuance of a writ in the nature of Habeas Corpus declaring that the arrest of the petitioner on 13.05.2026 in RC2212026E0010 and his continued



detention pursuant thereto is illegal, *void ab initio*, and violative of Articles 21, 22(1), and 22(2) of the Constitution of India and of Sections 47, 48, and 58 of the BNSS Act.

3. The learned counsel for the petitioner submits that the petitioner was arrested in relation to the above FIR on 13.05.2026 at Ahilyanagar, Maharashtra. He was provided with a personal search memo (D-412), however, he was not supplied with the arrest memo or the grounds of arrest. He submits that the said plea was even taken by the petitioner before the Court of the learned Special Judge (PC Act) (CBI) on 15.05.2026, however, the learned Special Judge was not pleased to accept the said plea despite there being no documentary proof showing that the arrest memo and the grounds of arrest were supplied to the petitioner or his family members. He submits that the copy of the arrest memo, which was later provided to the petitioner, did not bear the signature of the petitioner or of any of his family members; had a mistake in the father's name of the petitioner, and; showed the time of arrest of the petitioner as 10:00 AM claiming it to be on the basis of the disclosure statement of a co-accused, who is, in fact, stated to be arrested only at 02:00 PM on the same day. He submits that this itself shows the casual manner in which the memo of arrest and grounds of arrest have been prepared by the respondents.

4. We are not impressed by any of the arguments made by the learned counsel for the petitioner.

5. The petitioner is presently in custody pursuant to the remand orders passed by the learned Special Judge, which are not in challenge before us.



6. As far as the supply of grounds of arrest and arrest memo is concerned, the learned Special Judge, in his order dated 15.05.2026, records that the case file presented by the IO shows that the petitioner as well as his friend have been provided with a copy of the grounds of arrest against their acknowledgement. We quote the findings of the learned Special Judge as under:-

“20. As far as submissions of Ld. Counsel for accused regarding non supply of the grounds of arrest is concerned, this court does not find any substance as it is clear from the case file presented by the IO that the accused as well as his friend have been provided with the copy of the grounds of arrest against acknowledgement.”

7. Mr. Mishra, the learned SPP, also places reliance on the order dated 13.05.2026 passed by the learned Additional Sessions Judge, Ahmednagar, Maharashtra, stating that when the transit remand of the petitioner was obtained, the petitioner never raised a grievance of the non-supply of the arrest memo or the grounds of arrest. On the contrary, the said order records the statement of the learned Public Prosecutor for the CBI that after the arrest of the petitioner, the grounds of arrest had been duly informed to him and information had also been given to his father telephonically. This fact was never challenged by the petitioner.

8. Mr. Mishra has also produced before us a copy of the grounds of arrest, which bears the acknowledgement dated 13.05.2026 of the petitioner himself.

9. We find that the above ground has been taken only to somehow multiply the proceedings. In fact, this plea does not seem to have been



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taken before the learned Special Judge post 15.05.2026, and the only issue raised before the learned Special Judge was whether the said documents form part of the relied upon or un-relied upon documents by the respondent. That cannot be an issue allowed to be raised before us, as the same is to be determined by the learned Trial Court.

10. We, therefore, find the present petition to be completely misplaced and the same is, accordingly, dismissed with costs quantified at Rs. 25,000/-, to be deposited by the petitioner with the Delhi High Court Bar Clerk's Association (A/C 15530100006282 UCO Bank, Delhi High Court).

NAVIN CHAWLA, J

RAVINDER DUDEJA, J

SEPTEMBER 7, 2026/rv/hn