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

+ W.P.(CRL) 477/2023

ANUBHAV GUPTA

..... Petitioner

Represented by: Mr. Pawanjit Singh Bindra, Sr. Adv.
with Mr. Manish Kaushik, Mr. Ajit
Singh Joher, Mr. Sushant Singhal,
Ms. Snigdha Rajpal, Mr. M.B. Jain,
Adv. with petitioner-in-person.

versus

UNION OF INDIA & ANR.

..... Respondent

Represented by: Mr. Chetan Sharma, ASG with Mr.
Apoorv Kurup, CGSC with Ms.
Swati Bhardwaj, Mr. Amit Gupta,
Mr. Ojaswa Pathak, Mr. Saurabh,
Mr. Tripathi, Adv. for R-1&2/UOI.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

HON'BLE MS. JUSTICE POONAM A. BAMBA

ORDER

17.02.2023

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CRL.M.A. 4438/2023

Application is disposed of taking on record extensive synopsis and list of dates.

W.P.(CRL) 477/2023 & CRL.M.A. 4437/2023 (stay)

1. By this petition the petitioner seeks quashing of Section 18 of the Indian Penal Code, 1860 being violative of Article 19(1)(d) and 19(1)(e) of the Constitution of India.
2. Learned counsel for the petitioner points out that while promulgating the Jammu and Kashmir Reorganization Act, 2019 though all provisions of IPC were amended and consequently the Ranbir Penal Code was also

repealed, however it appears that inadvertently in Section 18 where “India” is defined, corresponding amendment was not carried out.

3. Notice. Learned counsel accepts notice on behalf of respondent No.1 and 2.

4. Reply affidavit be filed within four weeks. Rejoinder affidavit in two weeks thereafter.

5. List on 26th April, 2023.

6. Order be uploaded on the website of this Court.

MUKTA GUPTA, J.

POONAM A. BAMBA, J.

FEBRUARY 17, 2023
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