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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 8895/2024 & CRL.M.A. 34015/2024
SHRI ANKIT SINGHPetitioner

Through: Appearance not given

versus

STATE OF DELHI AND ORSRespondents
Through: Mr. Yudhvir Singh Chauhan, APP for
the State with SI Teena Phogat

CORAM:
HON'BLE MR. JUSTICE CHANDRA DHARI SINGH

% **ORDER**
13.11.2024

CRL.M.A. 34014/2024 (Exemption)

Exemption allowed subject to just exceptions.

The application stands disposed of.

CRL.M.C. 8895/2024

1. The instant petition under Article 227 of the Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter "BNSS") (earlier Section 482 of the Code of Criminal Procedure, 1973 (hereinafter "Cr.P.C.") has been filed on behalf of the petitioner seeking the following reliefs:

"a) Call for the records of the case FIR No. 329/2016 under Section 392/411/34 IPC registered at PS: Dabri, pending in the Court of Shri Harshal Negi, JMFC-02, District-South West, Dwarka Courts, New Delhi and also having a criminal Case No. 967/2018.

b) Ld. JMFC (11), District-South West, Dwarka Courts, New Delhi be directed for deciding the Application under Section 91



Cr.P.C. moved by the petitioner on 04.04.2024 despite order dated 16.02.2024 passed in CrI. Misc. (M) Petition No. 4743/2022.

c) Ld. JMFC (II), District-South West, Dwarka Courts, New Delhi further also be directed for disposing off the matter immediately in view of order dated 16.02.2024.

d) any other or further order which this Hon 'ble Court may deem fit and proper in the facts and circumstances of the case may also be passed in favour of the petitioner and against the respondents.”

2. Learned counsel appearing on behalf of the petitioner submitted that the application under Section 94 of the BNSS (earlier Section 91 of the Cr.P.C.) is pending since June, 2024 before the concerned Court and no order has been passed yet in the said application. He prayed that the concerned Court may be directed to adjudicate the said application expeditiously.

3. *Per contra*, learned APP for the State appearing on advance notice vehemently opposed the instant petition, however, had not opposed to the above submissions advanced on behalf of the petitioner for expeditious disposal of the said application which is pending for more than four months.

4. Heard learned counsel appearing on behalf of the petitioner.

5. Since the petitioner has not pressed the matter on merits and without entering into the merits of the case, he prayed that the concerned Court may be directed to adjudicate the aforesaid application expeditiously, this Court is inclined to allow the said prayer.

6. Accordingly, the concerned Court is directed to adjudicate the application which is filed by the petitioner herein before the concerned Court under Section 94 of the BNSS (earlier Section 91 of the “Cr.P.C.”)



expeditiously, preferably within two months.

7. With the aforesaid directions, instant petition stands disposed of along with pending applications, if any.

NOVEMBER 13, 2024
gs/mk

CHANDRA DHARI SINGH, J

[Click here to check corrigendum, if any](#)