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

+ **W.P.(CRL) 2368/2018**

KAPIL MODI

.....Petitioner

Through: Mr. Shiv Verma, Advocate with
Petitioner in person

versus

STATE OF GNCT OF DELHI & ANR

.....Respondents

Through: Ms. Rupali Bandhopadhyaya, ASC with
Mr. Abhijeet Kumar and Ms. Amisha
Gupta, Advocates for the State
alongwith Insp. Laxman Kumar, P.S.
EOW and SI Sachin Panwar, P.S.
Fatehpur Beri

Mr. Ansh Singh Luthra,
Mr. Harmanpreet Singh Kohli,
Mr. Madhav Kumar, Mr. Manmeet
Singh and Ms. Nikhar Luthra,
Advocates for R-2

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

30.07.2025

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CRL.M.A. 22076/2025

1. Allowed, subject to all just exceptions.
2. The Application is disposed of.

CRL.M.A. 22074/2025 & CRL.M.A. 22075/2025

3. Application under Section 528 of the Bhartiya Nagrik Suraksha Sanhita, 2023 has been filed for urgent disposal of instant and connected quashing Petition pursuant to the leave granted by Supreme Court of India *vide* its Order dated 15.07.2025 and to set aside patently illegal manifestly



arbitrary Order dated 05.11.2024 unintentional inadvertently passed by this Court in blatant disregard of Section 482 Cr.P.C. jurisprudence of Supreme Court, which squarely applies to the Petitioner's case.

4. With the prayer that the Writ Petition be disposed of before 29.08.2025 or else the Application Crl.M.A. 29670/2018, which is pending for the last 07 years, may be disposed of.

5. Learned Counsel for the Respondent submits that reply to the main Petition has already been filed but seeks time to file reply to the Stay Application for disposal of the Stay Application. He also submits that they would address the arguments on the main Petition itself on the next date.

6. Reply, if any, be filed within 15 days with an advance copy to the opposite party.

7. Be listed for arguments on Stay Application as well as on main Petition on 10.09.2025.

NEENA BANSAL KRISHNA, J.

JULY 30, 2025

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