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

+ **CRL.M.C. 257/2025 & CRL.M.A. 1325-1326/2025**

BALDEV RAJ

.....Petitioner

Through: Mr. Ajay Verma and Mr. Vaishnav
Kirti Singh, Advocates

versus

THE STATE (NCT OF DELHI) AND ANRRespondents

Through: Mr. Sanjeev Sabharwal, APP for the
State

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

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17.01.2025

CRL.M.A. 1326/2025 (for exemption)

1. Allowed, subject to just exceptions.
2. Accordingly, this application is disposed of.

CRL.M.C. 257/2025

1. This is a petition filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) impugning the order dated 10.12.2024 passed by the learned JMFC, (NI Act)-04, South- East District, Saket District Courts, Delhi ('Trial Court') declining to entertain an application filed at the stage of final arguments for referring the agreement Exhibit CW1/B to a Forensic Science Laboratory ('FSL') expert.
2. Learned counsel for the Petitioner states that the Exhibit CW1/B has been tendered by the complainant during evidence and there was no dispute raised qua the said agreement by the accused during the cross-examination.



He states that the accused has categorically admitted his signatures on the first page of the agreement and has wrongfully disputed his signatures on the second page as an afterthought during the cross-examination.

3. He states that the Petitioner is satisfied that the evidence placed on record sufficiently evidences the admissions of the accused qua the execution of the said agreement.

4. He states that, however, the Petitioner apprehends that the observations made by the Trial Court in the impugned order if allowed to stand, may have an adverse bearing during final hearing and on the final decision of the case.

5. This Court has considered the submissions of the Petitioner. The Trial Court at paragraph 9 of the judgment has clearly stated that the impugned order shall have no bearing on merits of the complaint and therefore, the apprehension of the Petitioner is not warranted.

6. Be that as it may, it is reiterated that the complaint shall be decided on its own merits, in accordance with law; without being influenced by any observations made in the impugned order dated 10.12.2024.

7. Learned counsel for the Petitioner states that in view of the aforesaid clarifications he does not press for the reliefs sought in the present petition.

8. The petition is disposed of as withdrawn. Pending application is disposed of.

9. The clarification issued at paragraph 6 in this order shall however be binding and may be relied upon by the Petitioner.

MANMEET PRITAM SINGH ARORA, J

JANUARY 17, 2025/msh/AKT

Click here to check corrigendum, if any