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

+ CRL.M.C. 2016/2025 & CRL.M.A.9049/2025

MAHIMA VERMA THROUGH HER SPA HOLDER.....Petitioner

Through: Ms. Nandita Rao, Senior Advocate with
Mr. Amit Peswani and Ms. Aditi Ajeet
Saxena, Advocates.

versus

STATE GOVT OF NCT OF DELHI & ORS.Respondents

Through: Mr. Digam Singh Dagar, APP for the
State with SI Gajal Chugh, P.S.Krishna
Nagar.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

26.03.2025

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1. Petition has been filed under Section 528 BNSS seeking quashing of Notice dated 25.12.2024 under Section 35(3) BNSS in FIR No.800/2024 registered at P.S.Krishna Nagar, under Section 498A/406/509/34 IPC and all the proceedings arising therefrom.

2. The main grievance of the Petitioner is that she has been residing in Sharjah since about 2018. Even prior to that, since 2012 she along with her parents had been residing on the ground floor while the Complainant along with the husband had been residing on the third floor. There are no allegations made against her in the Complaint and, therefore, the Notice should be quashed.

3. The **learned Prosecutor who has appeared on advance Notice**, has submitted that the specific allegations have been made against the Petitioner in the Statement under Section 164 Cr.P.C, by the Complainant. Therefore, the Notice has been issued for the purpose of investigations.

4. On instructions from the IO, it is further submitted that considering that Petitioner is located in Sharjah, she may initially join through VC and that in case her physical presence is required, sufficient Notice shall be given to



her to appear before the IO.

5. The Complainant is present in person who has reiterated and reaffirmed the allegations made by her in her Complaint as well as in her Statement under Section 164 Cr.P.C.

6. **Submission heard and record perused.**

7. In view of the submissions made, the Petitioner is directed to join the investigations initially through VC and if the need be, on being given sufficient Notice, she shall appear before the IO for the purpose of investigations.

8. With these observations, the Petition is disposed of.

NEENA BANSAL KRISHNA, J

MARCH 26, 2025

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