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

\+ CRL.M.C. 2105/2025, CRL.M.A. 9415/2025

UMEE DEVI .....Petitioner

Through: Mr. Pritish Sabharwal and Mr. Sanjeet Kumar, Advocates.

versus

STATE GOVT. OF NCT OF DELHI .....Respondent

Through: Mr. Laksh Khanna, APP for State with Mr. Kamlesh, Insp., AATS Dwarka with Mr. Bharat Singh, SI, PS-Uttam Nagar.

**CORAM:**
**HON'BLE MR. JUSTICE SANJEEV NARULA**

**ORDER**

% **28.03.2025**

1. The present petition filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 impugns order dated 14th February, 2025, whereby the Petitioner's request for release of the cash amount of INR 28,40,000/- seized by the Investigating Officer[1] from the Petitioner's house, was declined. The impugned order has been passed in proceedings arising out of FIR No. 994/2020 registered at P.S. Uttam Nagar.

2. The case of the Petitioner is that the amount recovered by the IO was received by her by selling a portion of her property for which she received INR 25,00,000/-. This is strongly controverted by the State and they argue that the said amount is *'proceeds of crime'* by sale of 130 Kgs of *Ganja*

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[1] "IO"

which has been recovered from the Petitioner's husband.

3. Be that as it may, it is also noticed that the State in their reply, had pointed out to the Trial Court that the recovery of cash was also intimated to the Income Tax Department and since the the report of the Income Tax Department was yet to be obtained, the Trial Court was requested to await the report before deciding the aforenoted application.

4. In light of the foregoing, Mr. Pritish Sabharwal, counsel for Petitioner states that he would like to withdraw the present petition and seeks liberty to apply before the Trial Court afresh as and when the report of the Income Tax Department is received.

5. Dismissed with withdrawn with liberty as aforesaid.

6. It is clarified that the Court has not commented on the merits of the case. As and when such an application is filed, the same shall be considered on its own merits in accordance with law.

**SANJEEV NARULA, J**

**MARCH 28, 2025**
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