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

+ **W.P.(CRL) 1252/2025**

DEVINDER CHOWDHURY

.....Petitioner

Through: Mr. Hardik Prakash, Adv.

versus

STATE (GOVT OF NCT)

.....Respondent

Through: Mr. Sanjeev Bhandari, ASC
with Mr. Arjit Sharma and Mr.
Nikunj Bindal, Advs.
W/SI Varsha and W/SI Usha,
PS Mehrauli

CORAM:

HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER

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21.04.2025

CRL.M.A. 11793/2025 (Exemption)

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

W.P.(CRL) 1252/2025, CRL.M.A. 11792/2025

3. The present petition under Article 226 & 227 of the Constitution of India has been filed by the petitioner seeking direction to the respondents for supply of the sterling and clinching documents / CDs/hard disk /CCTV footage, handed over to the IO / SHO during the course of the investigation under an acknowledgment receipt of PS Mehrauli and in compliance of the direction of the learned Additional Session Judge, Saket, New Delhi (Trial Court) while seeking an



anticipatory bail in FIR No. 2584/2014 dated 11.12.2014 under Sections 376/417 of the Indian Penal Code, 1860 registered at Police Station Mehrauli.

4. The learned counsel for the petitioner, upon instructions, seeks permission to withdraw the present petition with liberty to file a fresh petition submitting that an application under Section 91 of the Criminal Procedure Code, 1973 (Cr.P.C), seeking the release of same documents, have been moved before the learned Trial Court, which is pending adjudication.

5. He submits that the Investigating Officer has furnished a report before the learned Trial Court that the said documents have been destroyed, therefore, he had moved the present petition. He submits, however, the report has not yet been accepted by the learned Trial Court, thus, at this stage, he may be permitted to withdraw the present petition and be given liberty to file afresh after disposal of the application under Section 91 Cr.P.C before the learned Trial Court, if need arises.

6. Permission and liberty, as prayed for, is granted.

7. Accordingly, the present petition is dismissed as withdrawn.

SHALINDER KAUR, J

APRIL 21, 2025/SU/KP

Click here to check corrigendum, if any