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

+ **CRL.M.C. 3937/2025, CRL.M.A. 17217/2025 & 17218/2025**

ANKIT ROSTOGI AND ORS

.....Petitioners

Through: Ms. Alpana Sharma, Ms. Mahesh
Sharma, Ms. Shivangi Singh, Mr. Raj
Shekhar Sharma, Advocates.

versus

STATE OF NCT DELHI AND ANR.

.....Respondents

Through: Mr. Utkarsh, APP for the State with
ASI Abhinav, P.S. S.B. Dairy.
Mr. Yogesh Kumar Goel, Mr. Avi
Rastogi, Advocates. For R-2

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

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20.08.2025

1. Petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been filed on behalf of the Petitioners for quashing the FIR No.0242/2025 under Sections 85/316(2)/3(5) of the Bharaiya Nyaya Sanhita, 2023 registered at P.S. Shahbad Dairy, Delhi.
2. It is submitted that the present FIR is an abuse of process of law since the complaint was filed after the divorce Petition was filed by the Petitioner/husband. Also, the Respondent No. 2 suffers from mental ailments. The learned Prosecutor submits that the Charge-sheet has already been filed in the Court on 18.08.2025.
3. Essentially, the grounds being agitated for quashing of FIR are on merits or on the defence of the Petitioners, which cannot be considered at this



stage.

4. The Petition alongwith pending Application, is disposed of with liberty to the Petitioners to raise these contentions before the learned Trial Court.

NEENA BANSAL KRISHNA, J.

AUGUST 20, 2025

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