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

\+ CRL.M.C. 5030/2025

UMEE DEVI .....Petitioner

Through: Mr. Pritish Sabharwal, Mr. Sanjeet Kumar, Ms. Rashi Wadhwa, Advocates.

versus

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

Through: Mr. Tarang Srivastav, APP with SI Dinesh Kumar, AATS Dwarka, PS-Uttam Nagar.

CORAM:
HON'BLE MR. JUSTICE RAVINDER DUDEJA

O R D E R

% **29.07.2025**

CRL.M.A. 21814/2025 (exemption)

Allowed, subject to all just exceptions.

This application stands disposed of.

CRL.M.C. 5030/2025

1. This is a petition under Section 528 BNSS, 2023 seeking to set aside the order dated 09.07.2025, passed by the learned Special Judge in SC/277/2021, FIR No. 994/2020, registered at Police Station Uttam Nagar.

2. Petitioner is the wife of accused in case FIR No. 994/2020. Pursuant to the order dated 28.03.2025 passed in CRL.M.C. 2105/2025, she filed an application before the learned Special Judge for directing the Income Tax Department ["**ITD**"] to file a report regarding Rs. 28,40,000/- seized from

her residence during investigation.

3. The cash which allegedly proceeds from a lawful property sale and a personal loan, was seized amid an NDPS case involving her husband's arrest on charges of illegal *ganja* supply. The trial Court rejected the application of the petitioner for release of seized amount.

4. Vide order dated 09.07.2025, the application filed by the petitioner seeking directions to the ITD to file a report regarding the seized cash was disposed of with directions that as and when the report is received by the Investigating Officer from the ITD, the same be filed before the trial Court, which the Court may consider, if required.

5. After part submissions, learned counsel appearing for the petitioner seeks permission to withdraw the present petition seeking liberty to file fresh application for release of seized cash after receipt of report from the ITD.

6. The statement made by learned counsel is taken on record and petition is dismissed as withdrawn with liberty as prayed for.

7. It is clarified that this Court has not commented on the merits of the case. As and when such application is filed after receipt of the report from the ITD, the same shall be considered by the trial Court on its own merits and in accordance with law.

RAVINDER DUDEJA, J

JULY 29, 2025/*vd*