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

+ CRL.M.C. 5856/2025, CRL.M.A. 25029-25030/2025

PRATIK JINDAL

.....Petitioner

Through: Mr. Abhijat, Senior Advocate with
Mr. Sudeep Sudan, Mr. Satyam Gupta
and Mr. Harsh Vardhan, Advocates.

versus

STATE NCT OF DELHI AND ORS

.....Respondents

Through: Mr. Ajay Vikram Singh, APP for
State with Mr. Himanshu, SI, PS-
Sagarpur.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

25.08.2025

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1. The present petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (formerly Section 482 of the Code of Criminal Procedure, 1973) assails order dated 19th May, 2025, passed in CT. CASE No. 48519/2016, titled '*State v. Anil Jindal & Ors.*', in FIR No. 118/2015, dated 8th February, 2015, registered under Sections 384, 506 and 120B IPC, at P.S. Sagarpur, pending in the Court of JMFC-03, Patiala House Courts, New Delhi.

2. During the proceedings emanating from the said FIR, the Petitioner had moved an application seeking personal exemption from appearance, relying on an interim blood test report dated 27th October, 2024, issued at 1:23 PM, purportedly by Dr. Lal Path Labs, which reflected the Petitioner's



Platelet count as 110 thou/mm³. Subsequently, a final report from the same laboratory reflected the Platelet count as 125 thou/mm³. In this backdrop, a controversy arose regarding the authenticity of the interim report submitted by the Petitioner. Allegations of fabrication or tampering were raised, prompting police verification. The police submitted their findings to the Trial Court, stating that the report had been tampered with as the original report showed the platelet count to be 125 thou/mm³.

3. Mr. Abhijat, Senior Counsel for the Petitioner, refers to the following directions contained in the impugned order, which apparently constrains the Petitioner to approach this Court.

“Be that as it may, liberty is given to the prosecution for necessary action and the question shall remain open before the court for necessary ramifications of submission of false report by accused Prateek Jindal on the NDOH.

In the meantime, counsel appearing on behalf of accused Prateek Jindal is given opportunity to advance arguments on the said issue on the NDOH. He is at liberty to file written submissions with an advance copy to the Ld. APP for State at least one week prior to the NDOH.

*At request, copy of this order be given dasti to Ld. APP for State.
Re-list on 29.08.2025.”*

4. Mr. Abhijat, while acknowledging that the Trial Court is yet to arrive at a final determination regarding the alleged falsity of the report, submits that the impugned order suffers from a manifest error. He contends that the Trial Court has erroneously proceeded on the basis of a comparison between the interim and final reports issued by the same laboratory to conclude that the document relied upon by the Petitioner had been tampered with. It is submitted that the interim report, which reflected the Platelet count as 110 thou/mm³, was a genuine document issued by Dr. Lal Path Labs in the normal course of testing, and that a subsequent final report from the same



laboratory reflected the Platelet count as 125 thou/mm³. Mr. Abhijat submits that the police, during their verification process, wrongly equated the variation between the interim and final reports as evidence of fabrication, without appreciating that both reports emanated from the same source and represent different stages of diagnostic reporting.

5. Having heard learned counsel for the parties, this Court is of the view that since the Trial Court has not yet rendered a final opinion on the issue highlighted and the observations made in impugned order are only tentative, there is no reason for this Court to express any opinion at this stage. However, considering that the Petitioner has relied upon a test report issued by Dr. Lal Path Labs, asserting it to be of interim nature, in the opinion of the Court, this fact ought to be verified by the State, and the outcome of such verification should be brought to the notice of the Trial Court, should the Prosecution avail the liberty as provided in the impugned order. It is directed accordingly.

6. The petition is disposed of along with pending applications.

7. All rights and contentions of the parties are left open.

SANJEEV NARULA, J

AUGUST 25, 2025

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