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

+ **CRL.M.C. 5930/2025 & CRL.M.A. 25280/2025**

RAJESH KUMAR

.....Petitioner

Through: Mr. Ajay Goyal, Mr.
Rahul Sharma, Mr. Jyoti
Sharma, Anubhav & Mr.
Arvind Kumar, Advs.

versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Sunil Kumar Gautam,
APP for the State.
SI Pinki, PS Sultanpuri.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

26.08.2025

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1. The present petition is filed challenging the order dated 07.08.2025, passed by the learned Trial Court in SC No. 420/2017 arising out of FIR No. 351/2017, registered at Police Station Sultan Puri, whereby the application filed by the petitioner under Section 348 of the Bharatiya Nyaya Suraksha Sanhita, 2023 [earlier Section 311 Code of Criminal Procedure, 1973 ('CrPC')] was dismissed.
2. The petitioner had filed the aforesaid application pursuant to recording of his statement under Section 313 of the CrPC where he stated that certain aspects were not investigated by the Investigating Officer.
3. At the outset, the learned counsel for the petitioner submits that since the investigation conducted by the Investigating Officer is a matter of record, he seeks liberty to withdraw the



present petition and lead defence evidence as may be advised.

4. The petition is dismissed as withdrawn with the aforesaid liberty.

AMIT MAHAJAN, J

AUGUST 26, 2025

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