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

+ **W.P.(CRL) 2819/2025**

YUSUF KHAN @ PARVEEN

.....Petitioner

Through: Mr. Ashok Kumar, Advocate.

versus

THE STATE (N.C.T. OF DELHI) & ORS.

.....Respondents

Through: Mr. Abhijeet Kumar, Advocate for
Ms. Rupali Bandhopadhyaya, ASC for
the State.

Inspector Sunil Kumar, SHO, P.S.:
Jaitpur.

SI Inderjeet.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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02.02.2026

CRL.M.A. 3469/2026 (exemption)

Exemption granted, subject to just exceptions.

The application stands disposed of.

CRL.M.A. 3468/2026

By way of the present application filed under section 528 of the Bharatiya Nagarik Suraksha Sanhita 2023 ('BNSS'), the petitioner seeks a direction to the learned Judicial Magistrate First Class-II, South-East District, Saket Courts, New Delhi to entertain, hear and adjudicate upon the application filed by the petitioner under section 193(9) of the BNSS seeking further investigation, pursuant to order dated 15.10.2025 passed by the learned Predecessor Bench in the present writ petition.



2. Learned counsel for the petitioner submits, that pursuant to the liberty granted *vidé* order dated 15.10.2025, the petitioner moved an application as above; however the learned Magistrate first observed that no such application was on record; and subsequently, when the petitioner moved a second application, the Magistrate has returned the same without issuing notice on it.
3. Learned counsel appearing for learned ASC for the State, on instructions of the Investigating Officer ('I.O.') who is present in court, submits, that the learned Magistrate has in fact *issued notice* on application dated 31.10.2025 filed by the petitioner under section 193(9) of the BNSS and a copy of that application has also been furnished to the I.O.
4. Learned counsel submits, that in fact the I.O. has even filed a reply dated 26.01.2026 to that application.
5. A copy of the application, on which notice has been issued by the learned Magistrate and the reply filed to the said application by the I.O., have been shown to the court.
6. In view thereof, the present application appears to be misconceived; and is accordingly, dismissed.

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7. The petition already stood dismissed as withdrawn *vidé* order dated 15.10.2025.

ANUP JAIRAM BHAMBHANI, J

FEBRUARY 2, 2026/ak