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

+ CRL.M.C. 8265/2025

PRITHIRAJ SANYAL & ANR.

.....Petitioners

Through: Mr.Yogesh Sharma, Mr. Arindam
Ganguly, Advs.

versus

STATE NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Nawal Kishore Jha, APP with SI
Arvind Kumar.

CORAM:

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

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20.11.2025

CRL.M.A. 34459/2025 (exemption from filing certified copies etc.)

Allowed, subject to all just exceptions.

The application stands disposed-of.

CRL.M.C. 8265/2025 & CRL.M.A. 34458/2025 (stay)

1. This is a petition under Section 528 BNSS for quashing of complaint case no. CT. Case 42527/2024 titled "Mohd. Zahid v. Prithiraj Sanyal & Ors." as also the summoning orders dated 03.09.2025 passed by the Ld. Judicial Magistrate First Class-04, South East, Saket Courts.
2. Learned counsel submits that respondent no. 2 filed a complaint case along with the application 156(3) CrPC. However, the application was dismissed vide order dated 20.11.2024 holding that the dispute was purely civil in nature and that no investigation was required. Respondent no. 2, thereafter preferred revision petition, which is stated to be still pending



before the Sessions Court.

3. It is further submitted that second complaint was filed by respondent no. 2, concealing the factum of filing of the first complaint and the dismissal of the application under Section 156(3) CrPC.

4. The perusal of the impugned order dated 03.09.2025 reveals that petitioner has not been summoned as an accused, rather a notice has been issued to him as a proposed accused to grant him a hearing in terms of Section 223(1) BNSS.

5. Thus, petitioner has an opportunity to urge his grievances before the trial court at the time of hearing under Section 223(1) BNSS. That being so the present petition is premature and is dismissed. Petitioner would be at liberty to press his grievances before the learned trial court at the time of hearing under Section 223(1) BNSS.

6. It is clarified that no order has been passed on merits of contentions raised and all rights and contentions of the parties are left open.

RAVINDER DUDEJA, J

NOVEMBER 20, 2025

Gs/ma