



\$~45

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

+ CRL.M.C. 8273/2025, CRL.M.A. 34478/2025 (stay),
CRL.M.A.34480/2025 (delay)

PRABHU GOWDA

.....Petitioner

Through: Mr. Suresh Sisodia, Mr.
Sushant Dogra and Mr. Aayush
Kumar, Advocates.

versus

STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Ms. Kiran Bairwa, APP for the State
with SI Kanchan.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

%

20.11.2025

CRL.M.A.34479/2025 (Exemption)

1. Exemption allowed, subject to all just exceptions.
2. The Application stands disposed of.

CRL.M.C. 8273/2025

3. Petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as 'B.N.S.S.') read with Section 482 of the Code of Criminal Procedure, 1973 (hereinafter referred to as 'Cr.PC'), has been filed on behalf of the Petitioner, Prabhu Gowda for quashing of Charge Sheet No. 817106624036702 of 2024 dated 20.01.2025 filed against him in Case FIR No. 367/2024 dated 13.12.2024 under Section 74/78/351(2)/79 and 329(4) of the Bharatiya Nyaya Sanhita, 2023 (*hereinafter referred to as*



‘BNS’) registered at Police Station Kishan Garh, South West Delhi and all the consequential proceedings emanating therefrom.

4. Issue Notice.

5. On advance Notice, learned APP has appeared and accepted the Notice on behalf of the State.

6. In the Charge-Sheet, the allegations are that it was a consensual relationship and no attempt is disclosed.

7. On the Complaint of the Respondent No.2/Complainant, FIR No.367/2024 dated 13.12.2024 under Section 74/78/351(2)/79 and 329(4) of BNS, got registered at Police Station Kishan Garh, South West Delhi.

8. Leaned Prosecutor on behalf of the State, submits that the Charge-Sheet has already been filed and the matter is pending for Arguments on Charge.

9. Essentially, the quashing is sought on merits, which facts may be agitated at the time of Arguments on Charge.

10. No ground exists for exercise of extraordinary jurisdiction under Section 482 Cr.P.C., for quashing of the said FIR.

11. The Petition is disposed of accordingly with liberty to the Petitioner, to raise these contentions before the learned Trial Court. Pending Applications, if any, also stand disposed of.

NEENA BANSAL KRISHNA, J

NOVEMBER 20, 2025/RS