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

+ CRL.M.C. 8826/2025, CRL.M.A. 36812/2025

CRL.M.A. 36813/2025

JITENDER @ JITU

.....Petitioner

Through: Mr. Irfan Firdous , Mr. Monish Ali
Khan , Ms. Nandini Bindoria , Mr.
Rohit Sharma , Ms. Nisha Chaudhary,
Advocates.

versus

STATE GOVT. OF NCT OF DELHI

.....Respondent

Through: Mr. Utkarsh, APP for the State.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **10.12.2025**

1. A Petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been filed on behalf of the Petitioner seeking quashing of FIR No.0270/2025 under Section 112 of the BNSS registered at Police Station Bharat Nagar, Delhi.
2. It is submitted that the impugned FIR is registered under Section 112 BNS which corresponds to Section 107 IPC a provision falling under Chapter VIII "Security for keeping Peace and for Good Behavior". These are preventive, executive and quasi-judicial proceedings and not criminal offences, hence no FIR is maintainable under Section 112 BNS. It is manifestly illegal and jurisdictional error that goes to the root of the matter.
3. A similar Crl. M.C.7993/2025 had been filed for quashing of FIR which has been withdrawn as the externment proceedings had been initiated



against the Petitioner. However, in order to avoid diversity of proceedings and to enable comprehensive challenge to the externment action as well, the liberty was granted to withdraw the same vide Order dated 12.11.2025 with permission to file appropriate Petition. Hence, the present Petition has been filed.

4. After some submissions, learned Counsel for the Petitioner seeks permission to withdraw the present Petition.

5. In view of the submissions made by learned Counsel for the Petitioner, the same is permitted to be withdrawn.

6. Needless to say that a liberty has already been granted while withdrawing his first Crl. M.C.7993/2025 to file a fresh Petition to challenge the Externment proceedings.

7. No further directions are merited.

8. The Petition stands disposed of accordingly along with the pending Application(s).

NEENA BANSAL KRISHNA, J

DECEMBER 10, 2025/va