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

+ **W.P.(CRL) 653/2026**

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.....Petitioner

Through: Mr. Makarand D. Adkar, Senior Advocate with Ms. Amita Sachdeva, Mr. Yadavendra Saxena, Mr. Shantanu M. Adkar, Ms. Shambhavi Kanade, Advocates with petitioner in person

versus

THE STATE NCT OF DELHI & ORS.

.....Respondents

Through: Mr. Rahul Tyagi, ASC for the State

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

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24.02.2026

CRL.M.A. 6081/2026 (exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

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3. By way of the instant petition, the petitioner seeks following prayer:
 - “a) Direct Respondent Nos.1 and 2 to forthwith register an FIR under the relevant provisions of the Bharatiya Nyaya Sanhita, 2023 read with the Protection of Children from Sexual Offences Act, 2012 on the basis of the Petitioner’s complaint dated 01.08.2025 and all material on record, and to proceed with fair, independent and time-bound investigation;
 - b) Quash and set aside the perfunctory Action Taken Report dated 07.08.2025 and reply dated 26.11.2025 as legally unsustainable



and violative of settled principles;

- c) Direct forensic re-examination / supplementary postmortem by a panel of forensic experts, including exhumation (if required) and comprehensive analysis of scene articles, ligature material, abrasions and sexual assault indicators...”

4. This Court notes that the Action Taken Report was filed in this case on an application filed by the petitioner herein under Section 175(3) BNSS. An Action Taken Report was filed by the police authority and objection thereto was filed by the complainant/petitioner herein. The concerned I.O. has now filed reply to the objections of the complainant/petitioner herein and the matter is now listed for arguments on 19.03.2026 before the learned Trial Court, therefore, the present petition is not maintainable, at this stage, before this Court.

5. However, the learned Trial Court is directed to ensure that the arguments be heard on the next date of hearing. I.O. is directed to remain present in person before the learned Trial Court, without any exemption or request for exemption.

6. The learned Trial Court will make every endeavour to dispose of the case within two months from the date of the hearing before it.

7. In view of above terms, the present petition stands disposed of.

8. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

FEBRUARY 24, 2026/ns