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

\# **CNR No. DLHC010549842026**

\+ CRL.M.C. 8515/2026 CRL. M.A 35702-03/2026

MAHAVEER PRASAD .....Petitioner

Through: Mr. Ankur Yadav and Mr. Shubham Singh, Advocates.

versus

STATE OF NCT OF DELHI .....Respondent

Through: Mr. Purushottam Kaushik, Mr. Sachin Upadhyay and Mr. Manish Tiwari, Advocates.
Mr. Satish Kumar, APP for the State.
SI Manju, PS Tilak Nagar.

CORAM:
HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

O R D E R

% 19.11.2026

1. This petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 [‘BNSS’] seeking following relief:

> “Allow the present petition & **quash the subsequent Chargesheet/ FIR No.319/2026** dated 17.08.2026 registered at P.S Tilak Nagar U/S - 64(2) (f)/ 65(1)/79 & 351 BNS, 2023 r/w section 6 POCSO Act, 2012 and any proceeding/investigation/trial in pursuance thereof;”

2. The record shows that the matter is listed before the Trial Court on 25.11.2026 for addressing arguments on charge.

3. Learned APP for the State submits that the contentions raised in this petition can be raised by the accused before the Trial Court as well. He submits that the supplementary charge-sheet will be filed before the Trial

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Court on or before 25.11.2026, for placing on record the FSL report. He states that the Investigating Officer ('IO') will also make an effort to file the CDR report on or before 25.11.2026 or maximum within ten days.

4. Learned counsel for the petitioner is agreeable to the aforesaid submissions.

5. The IO is directed to ensure that the supplementary chargesheet as well as the CDR report are placed on report before the Trial Court, within the time sought hereinabove.

6. The petition is disposed of with liberty to the petitioner to raise all the grounds raised in this petition before the Trial Court at the stage of arguments on charge. The Trial Court is requested to consider the said contentions, in accordance with law and return its findings while passing the final order at the stage of charge.

7. It is made clear that this Court has not expressed any opinion on the merits of the pleas raised in this petition. The rights and contentions of all the parties are left open to be decided by the Trial Court.

8. Needless to state, if the petitioner is aggrieved with the final order passed by the trial Court at the stage of charge, he will be at liberty to avail his remedies against the said order in accordance with law.

9. At this stage, learned counsel for the complainant states that he would also file an appropriate application before the Trial Court for seeking further investigation or reinvestigation, if so advised, in view of the FSL report dated 16.10.2026 alluded to in this petition. He submits that this submission is without prejudice to the fact that the statement given by the child victim specifically identifies the petitioner. He states that the child victim has consistently identified the petitioner as the perpetrator and no one else. He

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states that the child victim's family is unable to comprehend the result of the FSL report, given the facts of this case.

10. The rights of the complainant and the guardian of the child victim to seek directions from the trial Court are also expressly reserved.

11. The trial Court is requested to hear and decide the issue of charge expeditiously.

12. With the aforesaid directions, the petition is accordingly disposed of. Pending applications if any stand disposed of.

MANMEET PRITAM SINGH ARORA, J

NOVEMBER 19, 2026/Pa/AM

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