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

+ **CRL.M.C. 2152/2026 & CRL.M.A. 8887/2026**

ARVIND PRABHAKAR

.....Petitioner

Through: Mr. Shikhar Sharma and Mr. Mudit
Ruhella, Advocates

versus

STATE (NCT OF DELHI) & ANR.

.....Respondents

Through: Mr. Naresh Kumar Chahar, APP for
the State

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

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24.03.2026

CRL.M.A. 8888/2026 (exemption)

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

CRL.M.C. 2152/2026 & CRL.M.A. 8887/2026

3. By way of the instant petition, the petitioner seeks following prayer:

- "A. Quash and set aside the order dated 09.01.2026 passed by the Court of Ld. JMFC-04, Shahdara, KKD Courts, Delhi in CT Case No. 382/2021 (M.K. Verma v. Arvind Prabhakar & Ors.) to the extent it authorises search of the petitioner's residential premises at Flat No. 43, Jai Laxmi Apartments, I.P. Extension, Patparganj, Delhi – 110092, in purported exercise of powers under Section 93 CrPC / Section 96 BNSS;
- B. Quash and set aside the order dated 13.02.2026 passed in the same proceedings, to the extent it directs the ACP, DIU and IO to execute the said search-warrant and authorises "coercive steps" in case of alleged non-cooperation by persons whose premises are to be searched;



C. Pending hearing and final disposal of the present petition, stay the operation, execution and effect of the orders dated 09.01.2026 and 13.02.2026, and restrain the respondents from executing any search-warrant at the petitioner's residential premises in FIR No. 280/2022..."

4. Issue notice. The learned APP accepts notice on behalf of the State.
5. Issue notice to the complainant through the concerned Investigating Officer, for the next date of hearing.
6. The learned counsel appearing on behalf of the petitioner states that the search warrants in this case were ordered to be issued by the learned Magistrate, without application of mind or reasons. He also draws this Court's attention to the arbitral award dated 22.04.2019 wherein on similar facts, the learned Arbitrator had opined that the petitioner i.e. respondent no. 2 herein had no case. It is stated that the search warrants were issued pursuant to the registration of the FIR, after an application under Section 156(3) of Cr.P.C. was allowed.
7. Considering the overall facts and circumstances of the case and the fact that the transaction/issue in question is pending since the year 2012, it is directed that the operation of the order dated 09.01.2026 will remain stayed till the next date of hearing.
8. List on 22.05.2026.
9. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

MARCH 24, 2026/ns/TD