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

+ **CRL.M.C. 2238/2026**

KUSUM

.....Petitioner

Through: Mr. Yugansh Mittal, Advocate.

versus

STATE NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Amit Ahlawat, APP for State
with
Mr. Kshitij Mathur, Advocate for R-
2.

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

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27.03.2026

CRL.M.A. 9185/2026 (exemption)

1. Allowed, subject to all just exceptions.

CRL.M.C. 2238/2026

2. Petitioner seeks setting aside of order dated 02.12.2025 of learned trial court and quashing of FIR No. 2/2025 of PS Moti Nagar for offence under Section 420/468/471 IPC.

3. Broadly speaking, the complainant *de facto* alleged that the accused/applicant committed forgery of title documents dated 08.12.1997 by fabricating signatures of one Mr. U.C. Bhatia, whereas Mr. Bhatia had allegedly passed away in the year 1983 itself. On the basis of these limited allegations, the local police was directed to conduct enquiry and file a report



in response to application under Section 175(3) BNSS. In the name of enquiry, the IO simply recorded statement of daughter of Mr. Bhatia. No effort was done by the IO to obtain death certificate of Mr. Bhatia and on the said material, the learned trial court passed the impugned order, thereby allowing the application under Section 175(3) BNSS. Consequently, the subject FIR got registered.

4. Learned APP accepts notice and seeks and is allowed two weeks to file status report.

5. Learned counsel for respondent no.2 (*complainant de facto*) also accepts notice.

6. The IO Tasvir Mathur has not appeared. Even the SHO concerned has not cared to appear. SI Amit Kumar present in court is not aware as regards the date when status report was filed without even collecting death certificate of Mr. Bhatia. As repeatedly directed in number of cases, this also appears to be yet another case of complete lethargy (*if not deliberate inaction*) on the part of police.

7. Relist on 26.05.2026 in Advance List.

8. Copy of this order also be sent to the concerned DCP to ensure that status report is filed within two weeks after collecting death certificate of Mr. Bhatia, in case he has passed away.

GIRISH KATHPALIA, J

MARCH 27, 2026/ry