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

+ CRL.REV.P. 575/2024 & CRL.M.A. 12980/2024

NARENDER KUMARPetitioner

Through: Mr. Dushyant Sisodiya and Mr. Jai Vats, Advs.

versus

STATE GOVT OF NCT OF DELHIRespondent

Through: Mr. Naresh Kumar Chahar, APP for the State with Ms. Amisha Dahiya, Adv.
Mr. Ajayinder Sangwan, Adv. for the complainant.

(46)

+ CRL.REV.P. 576/2024 & CRL.M.A. 12982/2024

PRADEEPPetitioner

Through: Mr. Dushyant Sisodiya and Mr. Jai Vats, Advs.

versus

STATE GOVT OF NCT OF DELHIRespondent

Through: Mr. Naresh Kumar Chahar, APP for the State with Ms. Amisha Dahiya, Adv.
Mr. Ajayinder Sangwan, Adv. for the complainant.

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER
18.11.2025

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1. The learned counsel appearing for the petitioner states that at no point of time, both of them were in physical relationship and he states that it is apparent from the conversations dated 07.10.2021 between petitioner Pradeep and the prosecutrix. The learned counsel also states that the parties did not have any physical relations at any point of time nor he promised to marry her.

2. The learned APP for the State, on instructions from the concerned Investigating Officer (IO), informs this Court that the FSL report in this case has not been collected by the IO. The FIR in this case pertains to the year 2021 and the charge-sheet was filed in the same year. Further, the learned APP for the State argues that in the initial complaint as well as the statement recorded under Section 164 of the Cr.PC, the prosecutrix has clearly mentioned specific allegation of establishing physical relations on the basis of false promise of marriage. It is also argued that the prosecutrix upon learning that the petitioner got married, the prosecutrix made phone calls to the father and brother-in-law of the petitioner, and thereafter, she had filed the present complaint. The factum of the prosecutrix having undergone medical termination of pregnancy was also verified during investigation, where name of the present accused has been mentioned as husband of the prosecutrix. Pursuant to the said investigating and filing of charge-sheet, the learned Trial Court had also framed charge under Sections 376(2)(n)/313 of the Indian Penal Code, 1860 (hereafter 'IPC').

3. The Trial Court Record has been perused, which reveals that the learned Trial Court has not even on single occasion, including at the stage of hearing arguments on charge mentioned that the FSL report and the Call Detail Records (CDRs) have not been received, during to the IO's failure to



collect the same.

4. The Trial Court Record reveals that the learned Trial Court, *vide* order dated 04.08.2023, taking note of the fact that the FSL report had not been collected by the IO, had issued notice to the IO to furnish report regarding the report of the FSL and to report whether the pen drive seized from the possession of the prosecutrix has been sent to FSL. Further, *vide* order dated 10.11.2023, the learned Trial Court had observed that the report has been received by the IO, as per which, FSL result was still not ready, Resultantly, a priority letter was issued to the Director, FSL Rohini to furnish FSL report. Thereafter, a letter was received by the learned Trial Court from FSL, Rohini requesting the IO to collect the report by 15.01.2024.

5. Today, the IO is unable to explain as to why the report had not been collected from the FSL, Rohini.

6. The learned APP for the State was neither properly informed nor instructed regarding the FSL report. Therefore, a submission was initially made that no action was taken for collecting the FSL report, whereas, as mentioned above, the learned Trial Court has passed several orders, including the bailable warrants issued by the learned Trial Court against the SHO, for the purpose of filing FSL report and CDRs. Pursuant to the above order, Director, FSL, Rohini had reported that the FSL report will be ready by 15.01.2024. However, even thereafter, no steps were taken by the IO to collect the FSL report.

7. Today, the IO is unable to assist the Court or to inform regarding the status of the FSL report and CDRs.

8. Let an explanation in this regard be filed by the IO, through the concerned DCP, at least two days prior to the next date of hearing.



9. Arguments have been *part-heard*.
10. List for further arguments on 17.12.2025.
11. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

NOVEMBER 18, 2025/A/R