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

+ **W.P.(CRL) 3650/2025**

SAMIR KRISHAN MODI

.....Petitioner

Through: Mr. N. Hariharan and Mr. Vikram Sharma, Senior Advocates with Mr. Siddharth Yadav, Mr. Rahul Sambhar, Ms. Kashish Ahuja, Ms. Rekha Punya Angara, Ms. Sana Singh, Ms Vasundhara Raj Tyagi, Mr. Aman Akhtar, Ms. Vasundhara N., Mr. Toyesh Tewari, Mr. Agastya Sen and Mr. Simran Lakhwinder Singh, Advocates.

versus

STATE OF NCT OF DELHI AND ANR.

.....Respondents

Through: Mr. Sanjay Lao, SC for State

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

% **06.11.2025**

CRL.M.A. 32804/2025 (for exemption)

1. Exemption is granted, subject to all just exceptions.
2. The Applicant shall file legible and clearer copies of exempted documents, compliant with practice rules, before the next date of hearing.
3. Accordingly, the application stands disposed of.

W.P.(CRL) 3650/2025 & CRL.M.A. 32803/ 2025 (for stay)

4. The present petition filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (corresponding to Section 482 of the Code of



Criminal Procedure, 1973) seeks quashing of FIR No. 398/2025 registered under Sections 376 and 506 of the Indian Penal Code, 1860 at P.S. New Friends Colony, Dist. South-East and all other proceedings emanating therefrom.

5. Mr. N. Hariharan, Senior Counsel for the Petitioner, submits that the matter is presently at the stage of investigation. He submits that, as per the defence, the relationship between the Petitioner and Respondent No. 2 was entirely consensual, and that there are several evidences which would substantiate this fact. He submits that Investigating Officer is not even taking the same into consideration.

6. Issue notice. Mr. Sanjay Lao, SC for State, accepts notice. Mr. Lao submits that the documents submitted by the Petitioner shall be duly examined by the IO.

7. List on 12th January, 2026.

SANJEEV NARULA, J

NOVEMBER 6, 2025

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