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

+ **CRL.M.C. 1805/2025**

KAPIL MISHRA

.....Petitioner

Through: Mr. Mahesh Jethmalani, Sr. Advocate
with Mr. Pavan Narang, Sr. Adv. with
Mr. Ravi Sharma, Mr. Himanshu
Sethi, Mr. Neeraj, Mr. Shoumendu
Mukherjee, Mr. Aishwarya Chhabra
and Ms. Megha, Advs.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Ms. Rupali Bandhopadhyaya, ASC with
Mr. Abhijeet Kumar and Ms. Amisha
Gupta, Adv. with Insp. Vikas Malik,
PS Model Town.

CORAM:

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

% **28.08.2025**

CRL.M.A. 25625/2025 EXEMPTION

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

**CRL.M.A. 25624/2025 TO TAKE ON RECORD
SUPPLEMENTARYCHARGE SHEET NO. 2.**

3. This is an application under Section 528 of BNSS, 2023 filed on behalf of the applicant/petitioner praying for taking on record Supplementary Chargesheet No.2 dated 05.07.2025 and Supplementary



Chargesheet No.3 and relied upon documents filed by respondent in Crl. Case No. 14/2023 pending before learned ACJM, Rouse Avenue District Courts.

4. Mr. Jethmalani, learned senior counsel for the petitioner states that respondent filed additional Chargesheet -2 dated 05.07.2025 before the trial court submitting that investigation is complete in all aspect regarding twitter's reply (now X). Thereafter, another Chargesheet no.3 dated 31.07.2025 was submitted on 01.08.2025.

5. It is submitted that annexed documents which are part of the present application are essential, necessary and are required for the proper adjudication of the case. It is submitted that the documents including the orders of the trial court are relevant and necessary for the purpose of determining the real question of controversy and for effective adjudication of the case. Learned senior counsel states that the additional documents are pertinent as was provided in clear manner as to what was the response from X and how the same be read in favour of the applicant/petitioner.

6. Since the documents sought to be placed on record are part of the record of the trial court, the application is allowed and the documents be taken on record.

CRL.M.C. 1805/2025 & CRL.M.A. 8187/2025 (STAY)

7. Learned senior counsel for petitioner submits that pursuant to the directions of the trial court, the investigating agency sought information regarding the X account of the petitioner. In response, X gave access to the site with single URL for downloading and retrieving the files. Consequent thereto, the investigating agency has downloaded the files and placed the same along with the supplementary chargesheet. However, such files are



incomprehensible as they are in some coded language. It has been submitted that since the documents are incomprehensible, the prosecution before hearing of arguments on charge must provide interpreted documents to the petitioner, failing which, the trial may get vitiated.

8. It is submitted that the matter is listed before the trial court tomorrow for arguments on charge, and if trial court proceeds to hear arguments, the present petition may become infructuous.

9. State has already placed its status report on record.

10. Since no time is left, it is not possible to hear and dispose of the petition today, the learned trial court is requested to defer the hearing on charge to a date subsequent to the date fixed by this Court.

11. List on 13.10.2025.

RAVINDER DUDEJA, J

AUGUST 28, 2025/ib