

**STATE Vs. Rajesh Bhai Khimji Bhai Sakariya & Ors.**  
**FIR No.425/2025**  
**PS Civil Lines**

**At 4 PM.**

24.09.2025

**An application has been filed on behalf of accused for supplying of copy of FIR.**

**Present :** Sh. Pradeep Rana, Ld. SPP for the State alongwith Sh. Gagan Bhatnagar.  
Sh. Pradeep Khatri, Ld. counsel for accused Rajesh.  
Accused Rajesh is stated to be in JC.  
IO in person.

It is submitted by Ld. Counsel for applicant/accused that an FIR No.425 of 2025 has been lodged against the applicant/accused in PS Civil Lines on 20.08.2025. It is further submitted that the copy of FIR has not yet been supplied to the applicant/accused. It is prayed that the copy of FIR be provided to the applicant/ accused.

Reply to the present application has been received from IO / Insp. Hanumant Singh, SHO, PS Civil Lines. It is stated in the reply that FIR No.425/2205 dated 20.08.2025 PS Civil Lines is declared sensitive by order of DCP, North District vide No. 651/SO-DCP/North District dated 20.08.2025 and it is prayed that the instant application being premature is not maintainable. Copy of aforesaid order is enclosed with the reply. Copy supplied.

Heard. Perused. Considered.

Vide circular no.4 / 2011, bearing no. 459/458/Record/PHQ, New Delhi, dated 20.01.2011, issued by the then Commissioner of Police, Delhi, it has been ordered that :

*“2 (A) An accused is entitled to get a copy of the First Information Report at an earlier stage than as prescribed under Section 207 of the Cr.P.C.”*

.....

*“5. As a broad guideline to be taken into account by the*

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*Addl. Commissioner / Dy. Commissioner of Police of the District before the supply of copy to the accused or allowing uploading of FIRs on Delhi Police website, the FIRs of the following categories of cases should be refused for supply / updating on website :-*

*(1) Cases registered under Section 376, 376A, 376B, 376C, 376D IPC as the disclosure of identity of victim in such cases is punishable offence Under Section 228A IPC*

*(2) Cases involving a juvenile in conflict with law or a child in the need of care and protection as the Section 21 of Juvenile Justice (Care & Protection of Childrent) Act, 2000 prohibits disclosure of identity of any such juvenile or child.*

*(3) Cases of kidnapping for Ransom as its disclosure may be dangerous to be life of kidnapped victim.*

*(4) Cases in which desperate criminals / gangsters are involved or where there is a danger to witnesses or the complainant being intimidated.*

*(5) Other serious cases in which one accused has been arrested while others may be at large. Since the FIR may contain the names of complainant, eye-witnesses etc., there may be chances of undue advantage being taken either by the accused still at large to continue to evade arrest or him/their becoming a threat to the complainant or eye-witnesses etc.*

*(6) Cases relating to terrorists and cases in which the contents of the FIR may deal with the*

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*issue of National Security.*

*(7) Cases such as those registered under the Official Secrets Act where disclosure of information would be prejudicial to the interest of State.*

*(8) Cases in which the nature of FIR is such that is, in the opinion of the Addl. Commissioner / Deputy Commissioner of Police, sensitive for the reasons of concept of privacy or otherwise.*

*(9) In any other case which may prejudice investigation and circumvent criminal justice system.”*

Ld. SPP has relied upon standing order No.L&O/71/2024, dated 08.08.2024 and State Vs. Neelam Ranoliya Crl.M.C.9545/2023 decided by Hon'ble High Court of Delhi, dated 22.12.2023, and has submitted that where the case has been marked as sensitive, then copy of FIR is not provided to the accused and on refusal to supply the copy of FIR, the applicant / accused can make a representation to review committee as constituted by Commissioner of Police, Delhi.

In his oral submissions, Ld. SPP has further submitted that copy of FIR can be provided to the accused, provided the accused gives an undertaking to not to use the FIR except for legal purposes and shall also not publish, circulate the same in public domain.

Per contra, Ld. counsel for accused in his oral submissions has submitted that there is no mandate in BNSS whereby an undertaking has to be given by accused before the copy of FIR is to be supplied to him.

Submissions heard. Considered. Replies perused.

In Youth Bar Association of India Vs. Union of India, WP (Crl.) 68/2016, decided on 07.09.2016, the Hon'ble Supreme Court of India has relied upon the judgment rendered in State of West Bengal and others Vs. Committee for Protection of Democratic Rights, West Bengal and others,

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(2010) 3 SCC 571; Som Mittal Vs Government of Karnataka (2008) 3 SCC 753; D K Basu Vs State of West Bengal, AIR 1997 SC 610; Court of its Own Motion through Mr. Ajay Chaudhary Vs State (2010) 175 DLT 110 (DB) and has observed as under :

*An accused is entitled to get a copy of the First Information Report at an earlier stage than as prescribed under Section 207 of the Cr.P.C."*

In view of above discussion and law laid by the Hon'ble Supreme Court of India, this Court is on the opinion that the copy of FIR should be supplied to the applicant /accused.

In view thereof, the instant application is allowed and IO concerned is directed to supply the copy of FIR, within 24 hours against due acknowledgment. Application stands disposed off.

Accused is also directed to not to publish, circulate or disseminate the contents of the FIR in public domain or to any third party without the permission of this court.

Dasti Copy of this order be also given to IO as prayed for.

Order dasti, as prayed for.

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