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

CNR No. DLHC010915032025

+ **W.P.(CRL) 3825/2025 and CRL.M.A. 34488/2025**

JATIN MEHTO AND ORS

.....Petitioners

Through: Mr. Chandan Malan, Advocate.

versus

STATE NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Yasir Rauf Ansari, ASC for State

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

% **04.08.2026**

CRL.M.A. 34490/2025 (Condonation of delay)

1. For the reasons stated in the application, the same stands allowed. The delay of 30 days in refilling the present petition stands condoned.
2. The application stands disposed of.

W.P.(CRL) 3825/2025 and CRL.M.A. 34488/2025

1. The instant petition is for the following reliefs:-

“a. Quash the FIR No. 0227 dated 08.04.2024 at PS Badarpur and any proceedings arising thereof;

b. Grant any other relief that this Hon'ble Court may deem fit and proper in the interest of justice.”

2. Heard learned counsel appearing on behalf of the parties.
3. During the course of hearing, it is pointed out that the charge sheet



has already been filed.

4. The Supreme Court in ***State of Odisha v. Pratima Mohanty Etc.***,¹ has held as under:

“6.2 It is trite that the power of quashing should be exercised sparingly and with circumspection and in rare cases. As per settled proposition of law while examining an FIR/complaint quashing of which is sought, the court cannot embark upon any enquiry as to the reliability or genuineness of allegations made in the FIR/complaint. Quashing of a complaint/FIR should be an exception rather than any ordinary rule. Normally the criminal proceedings should not be quashed in exercise of powers under Section 482 Cr.P.C. when after a thorough investigation the chargesheet has been filed. At the stage of discharge and/or considering the application under Section 482 Cr.P.C. the courts are not required to go into the merits of the allegations and/or evidence in detail as if conducting the minitrial. As held by this Court the powers under Section 482 Cr.P.C. is very wide, but conferment of wide power requires the court to be more cautious. It casts an onerous and more diligent duty on the Court.”

5. Learned counsel for the petitioners may be correct in contending that the Court can still entertain the instant petition for quashment of the FIR, however, bearing in mind all the facts and circumstances, this Court is of the view that it would be more appropriate for the petitioners to take all the pleas as may be available as per law, at the stage of framing of charges.

6. In the event the petitioners raise such pleas, the Trial Court shall consider and decide the same in accordance with law, uninfluenced by any observations made herein.

7. With the aforesaid observations and liberty, the present petition stands disposed of. Pending application(s), if any, shall also stand disposed of.

PURUSHAINDR KUMAR KAURAV, J

AUGUST 4, 2026

Nc

¹ Criminal Appeal Nos. 1455-1456 of 2021, order dt. 11.12.2021.