



\$~38

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

CNR No. DLHC010212142026

+ **CRL.REV.P. 303/2026 & CRL.M.A. 15120/2026**

NIKHIL SONI

.....Petitioner

Through: **Ms. Swaty Singh Malik, Mr. Rohan Gupta and Ms. Chetna Singh, Advs.**

versus

STATE OF NCT DELHI AND ANR

.....Respondents

Through: **Mr. Shoaib Haider, APP for the State. SI Jitender Kumar, P.S. Nangloi.**

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

%

21.08.2026

1. This is a Revision petition filed under Section 438 r/w Section 442 of the Bhartiya Nagarik Suraksha Sanhita, 2023 seeking setting aside of the order dated 09.04.2026 passed by the learned Sessions Judge ASJ(SC-RC)-01, West District, Tis Hazari Court, New Delhi in SC No. 615/25 in '*State vs. Abhishek Soni & Ors*'.

2. Ms. Swati Malik, learned counsel appearing for the petitioner has pointed out various anomalies in the FIR and the statements of the prosecution and she contends that the charges for offence under Section 354 and 376 of the Indian Penal Code, 1860 are not made out against the present applicant.



3. It is submitted by Ms. Malik that the applicant was a young boy of 28 years at the time of registration of the present FIR and only because he being the brother in law has been falsely implicated in the matrimonial dispute between his brother and the *Bhabhi* (sister in law).
4. The Court was, however, of the *prima facie* view that the submissions and the arguments made by Ms. Malik, can be considered by the Trial Court during the course of the proceedings. The defence of the applicant, at this stage, may not be fully appreciated.
5. Therefore, at this stage, Ms. Malik seeks liberty to withdraw the present petition.
6. Accordingly, the revision petition, along with pending application, stands dismissed as withdrawn.
7. All the rights and contentions of the parties are left open.
8. The petitioner shall be at liberty to raise all his pleas during the course of the trial.
9. The Trial Court is directed to expedite the trial.
10. It is made clear that the Court has not expressed any opinion on the merits of the case.

PURUSHAINDR KUMAR KAURAV, J

AUGUST 21, 2026/NG