



\$~55

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

+ CRL.REV.P. 679/2022 & CRL.M.A. 20896/2022

ISLAM @FAIZAL & ORS.

.....Petitioners

Through: Appearance not given.

versus

STATE (GOVT. OF NCT OF DELHI

.....Respondent

Through: Ms. Shubhi Gupta, APP for the State.
Mr. Nakul Chaudhary, Mr. Gautam Chaudhary, Mrs. Leela Wati, Advs. for R-2.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

% **09.07.2026**

1. The present revision petition assails the order dated 21.07.2022 and 07.09.2022 [**"Impugned orders"**], whereby, the Trial Court framed the charges against the petitioners in FIR No.104/2021 registered at Police Station Mangol Puri for the offences punishable under Sections 147/148/149/323/302/341/506/34 of the Indian Penal Code [**"IPC"**] and Sections 25/27 of the Arms Act.
2. The prosecution case, in brief, is that on the intervening night of 10/11.02.2021, information regarding a violent quarrel was received at Police Station Mangol Puri pursuant to a PCR call. During investigation, it was revealed that one Rinku Sharma had sustained a stab injury, while two other persons, namely Akash and Mannu Sharma, had also suffered injuries. Initially, a case under Sections 307/34 IPC and Sections 25/27 of the Arms



Act was registered. After completion of investigation, the police filed a charge-sheet alleging that the petitioners, along with the other accused persons, constituted an unlawful assembly and, in prosecution of their common object, participated in the incident resulting in the death of Rinku Sharma.

3. The petitioners submit that the impugned orders suffer from infirmities and have been passed without proper appreciation of the material placed on record. It is contended that the Trial Court failed to consider the individual role attributed to each of the petitioners, overlooked material contradictions in the statements of the prosecution witnesses, ignored the CCTV footage relied upon during investigation, and mechanically proceeded to frame charges under Sections 302 IPC and 34 IPC.

4. Learned Addl. Public Prosecutor on behalf of the State submits that subsequent to the passing of the impugned orders, the trial has substantially progressed and the prosecution has already commenced leading its evidence before the Trial Court.

5. In view of the subsequent developments and considering the stage at which the criminal proceedings presently stand, this Court is not inclined to undertake an examination of the rival factual contentions touching upon the merits of the prosecution case or the correctness of the order framing charge in exercise of its revisional jurisdiction.

6. The petitioners, however, shall be at liberty to raise all such factual and legal pleas, including those urged in the present revision petition, as may be available to them in law before the Trial Court during the course of trial. Let the Trial Court to consider the same in accordance with law.

7. With these observations, without expressing any opinion on merits,



the petition along with pending application stands disposed of.

8. All rights and contentions are left open.

PURUSHAINdra KUMAR KAURAV, J

JULY 9, 2026/P/SS