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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
CNR No. DLHC010391382026
+ **CRL.M.C. 6159/2026**
PRADEEP NEGI Petitioner

Through: Appearance not given.

versus

STATE (GOVT OF NCT OF DELHI) & ANR. Respondents

Through: Mr. Naresh Kumar Chahar, APP for
the State.

SI Sakshi Punia, PS: Maidan Garhi
and HC Sunil, PS: Bindapur.

Mr. Hemant Singh, Mr. Aman
Bidhuri, Mr. Urvashi Jain and Mr.
Attrey Gupta, Advs. for R-2.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

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21.08.2026

1. The petitioner has filed the present petition for the following reliefs:

“(a) quash FIR No. 415/2022, registered at P.S. Maidan Garhi under Sections 332/461 of the Delhi Municipal Corporation Act, 1957, and all consequent proceedings in Cr. Case No. 2025/2023, titled “State Vs. Pradeep Negi”, pending before the Court of Ms. Shivli Talwar, Ld. JMFC, South District, Saket Courts, New Delhi, as being barred by limitation under Section 471 of the DMC Act”

2. The counsel for the petitioner contended that Section 471 of the DMC Act is a special provision of limitation which is a mandatory provision that requires a complaint of the offence to be made before a Municipal Magistrate within six months of the date of commission of the offence or the said period from the date when the existence of such commission came to the notice of the complainant. The reliance was placed on the recent



judgment of a Division Bench of this Court in Court on its own Motion v. State of Delhi, CRL. REF. 1/2024, decided on 18.06.2026

3. Section 471 of the Delhi Municipal Corporation Act states-

471. Limitation of time for prosecution.-

No person shall be liable to punishment for any offence against this Act or any rule, regulation or by-law made thereunder, unless complaint of such offence is made before a municipal magistrate within six months next after-

(a) the date of the commission of such offence, or

(b) the date on which the commission or existence of such offence was first brought to the notice of the commission.

4. Bearing in mind the facts that have emerged during the course of hearing, that the subsequent booking of the ground, first and second floor construction had taken place on 06.10.2022 and the complaint was sent to the Jurisdictional Magistrate on 29.03.2023, the arguments raised by the petitioner on the anvil of the decision passed by the Division Bench will have to be adequately considered by the Court of competent jurisdiction who has already seized with the trial.

5. The Supreme Court in the case of **CBI v. Aryan Singh and Ors.**,¹ directed the High Court not to conduct a mini-trial; the Court held-

*6. From the impugned common judgment and order passed by the High Court, **it appears that the High Court has dealt with the proceedings before it, as if, the High Court was conducting a mini trial and/or the High Court was considering the applications against the judgment and order passed by the learned trial court on conclusion of trial. As per the cardinal principle of law, at the stage of discharge and/or quashing of the criminal proceedings, while exercising the powers under Section 482 CrPC, the Court is not required to conduct the mini trial.** The High Court in the common impugned judgment and order has observed that the charges against the accused are not proved. This is not the stage where the prosecution/investigating agency is/are required to prove the*

¹ (2023) 18 SCC 399



charges. The charges are required to be proved during the trial on the basis of the evidence led by the prosecution/investigating agency.

6. The petitioner, therefore, is granted liberty to raise all issues. Let the same be considered in accordance with law.
7. It is made clear that the Court has not expressed any opinion on merit.
8. All rights and contentions are left open.

PURUSHAINdra KUMAR KAURAV, J

AUGUST 21, 2026/P/as