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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
CNR No. DLHC010441082026
+ **CRL.M.C. 6875/2026 & CRL.M.A. 28798/2026, CRL.M.A. 28799/2026**

GURDEEP SINGH MEHTA

.....Petitioner

Through: Mr. Abhishek Singh, Ms. Anuradha
Vasisht, Ms. Ritu Gupta, Mr. Rajesh
Vasisht, Ms. Jyoti Vasisht, Advs.

versus

STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Digam Singh Dagar, APP with
Mr. Bhupender Singh Raghav, Advs.
SI Pooja, P.S. Rani Bagh

CORAM:

HON'BLE MS. JUSTICE MADHU JAIN

ORDER

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17.09.2026

1. This hearing has been done through hybrid mode.
2. The present petition has been filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as, 'BNSS') seeking quashing of **FIR No. 118/2023**, registered at Police Station Rani Bagh, Delhi, under Sections 323/341/427/506/34 of the Indian Penal Code, 1860 (IPC), and all consequential proceedings arising therefrom, including **Criminal Case No. 13597/2023** titled "**State v. Inderjeet Singh Mehta & Ors.**", insofar as the same relates to the petitioner.
3. Brief facts of the case are that the Petitioner, a senior citizen and father of co-accused Inderjeet Singh Mehta, seeks quashing of **FIR No. 118/2023** dated 25.04.2023 registered at P.S. Rani Bagh under Sections



323/341/427/506/34 IPC and the consequential proceedings arising therefrom, insofar as they concern him.

4. The FIR was registered on the complaint of Respondent No. 2, the wife of the co-accused, alleging that on 25.04.2023, her husband assaulted and abused her, restrained her, took away her mobile phone and damaged household articles. No specific role or overt act was attributed to the Petitioner in the said incident. The only allegation against him was a vague and undated assertion that he would often threaten the complainant to leave the house, failing which “they would finish her”.

5. The Learned counsel for the Petitioner submits that the Petitioner has been implicated in the FIR only through a vague and undated allegation of threat by his daughter-in-law, with no specific overt act attributed to him in the incident dated 25.04.2023. The allegations of assault and violence are specifically against the co-accused/husband, while the Petitioner was residing on a separate floor and was not present at the place of occurrence.

6. It is further submitted that the Petitioner has been sent for trial under Section 506 read with Section 34 IPC, solely on the basis of the general allegation, which does not disclose any specific date, time, place or occasion of the alleged threat. The MLC also contains no allegation of violence against the Petitioner. The charge-sheet contains no independent witness or corroborative material supporting the allegation against him.

7. *Per contra*, learned counsel for the Respondents submits that the present petition is not maintainable. It is submitted that the Petitioner is seeking quashing of the FIR, charge-sheet and summoning order dated 05.02.2024, and the present petition has been filed after considerable delay.

8. It is further submitted that the matter is presently listed for arguments



on charge and, therefore, the present petition under Section 528 BNSS has been filed at a belated stage under the guise of invoking the inherent jurisdiction of this Court. Learned counsel submits that the allegations against the Petitioner are supported by the material on record.

9. Learned counsel further submits that the learned Trial Court has duly applied its mind to the material collected. It is pointed out that the Trial Court, after considering the material on record, did not summon one of the accused, namely Kavaljeet Kaur, demonstrating that the summoning order was passed after independent application of mind.

10. In response to the objection regarding delay/limitation, learned counsel for the Petitioner submits that Section 528 BNSS does not prescribe any period of limitation for exercise of the inherent jurisdiction of this Court. It is submitted that the inherent powers of this Court can be invoked even at a stage immediately preceding the pronouncement of the final judgment.

11. This Court has considered the submissions of the parties and perused the FIR, charge-sheet and the material placed on record.

12. The principal contention of the Petitioner is that the allegation against him is vague and undated and that no specific overt act is attributed to him in the incident dated 25.04.2023. However, the FIR contains an allegation that the Petitioner, being the father-in-law of the complainant, used to threaten her to leave the matrimonial home, failing which “they would finish her”.

13. At this stage, this Court is not required to assess the evidentiary worth or credibility of the said allegation. The truthfulness of the allegation, the circumstances in which the threat was allegedly extended and the effect thereof are matters which can be tested only during trial.

14. The allegation, if taken at face value, cannot be said to be wholly



irrelevant to the offence of criminal intimidation. The absence of an independent witness or corroborative material, as urged by the Petitioner, cannot by itself constitute a ground for quashing the proceedings at this stage. Similarly, the fact that the Petitioner was not alleged to have participated in the specific incident of assault by the co-accused does not, by itself, efface the separate allegation of criminal intimidation attributed to him.

15. The learned Trial Court, upon consideration of the material collected during investigation, has taken cognizance and summoned the accused vide order dated 05.02.2024. Significantly, the learned Trial Court did not summon one of the accused, namely Kavaljeet Kaur, which also indicates that the summoning order was not passed mechanically.

16. At this stage, this Court cannot undertake a mini-trial or appreciation of disputed facts to determine whether the allegation of criminal intimidation would ultimately result in conviction. The material on record, when taken at its face value, cannot be said to completely negate the commission of the offence alleged against the Petitioner.

17. Consequently, no ground for exercise of inherent jurisdiction under Section 528 of the BNSS is made out. The present petition is, accordingly, dismissed. The pending applications, if any, stand disposed of.

18. The order be uploaded on the website *forthwith*.

MADHU JAIN, J

SEPTEMBER 17, 2026/prg/rm