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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
CNR No. DLHC010454702026
+ **CRL.M.C. 7098/2026 & CRL.M.A. 29673/2026, CRL.M.A. 29674/2026**
ANUJ & ORS. Petitioners

Through: Mr. Aman Dalal, Mr. Prithvi Raj
Singh Chauhan, Mr. Sourabh Rai, Ms.
Parmeshwari Dhayal, Advs.

versus

STATE OF NCT OF DELHI & ORS. Respondents
Through: Mr. Rajkumar, APP with Mr. Yogesh
Mishra and Mr. Belendo Shukla,
Advs.
SI Ritu Singh, PS Sonia Vihar.

CORAM:
HON'BLE MS. JUSTICE MADHU JAIN

ORDER
23.09.2026

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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 the 'BNSS'), seeking quashing of **FIR No. 0147/2026** registered at P.S. Sonia Vihar, Delhi, under Sections 85, 316(2), 3 and 5 of the Bharatiya Nyaya Sanhita, 2023 (hereinafter referred to as the 'BNS') and Sections 3 and 4 of the Dowry Prohibition Act, 1961, along with the proceedings arising therefrom.

BRIEF FACTS:

3. Brief facts of the matter are that the Petitioner No.1/Anuj and Respondent No.2/Pooja were married on 16.04.2025 according to Hindu rites and ceremonies. After the marriage, Respondent No.2 resided at the



matrimonial home at H. No. H-61/14, Gali No.3, Jai Prakash Nagar, Gonda, Delhi, along with Petitioner Nos.1 to 4. Petitioner Nos.5 and 6 were residing separately at Gokal Pur, while Petitioner Nos.7 and 8 were residing separately on another floor of the property.

4. It is the case of the petitioners that matrimonial differences arose between Petitioner No.1 and Respondent No.2 and that, on 12.02.2026, Respondent No.2 left the matrimonial home and went to her parental house. The petitioners further state that, on the same day, the brother of Petitioner No.3/Ratnesh passed away while undergoing treatment at Dr. Ram Manohar Lohia Hospital, New Delhi. According to the petitioners, Petitioner No.3 thereafter made a complaint dated 22.02.2026 to the police concerning the events arising out of the matrimonial dispute and subsequently approached the concerned DCP on 16.07.2026.

5. Respondent No.2, prior to registration of the FIR, had instituted proceedings under Section 12 of the Protection of Women from Domestic Violence Act, 2005 on 25.04.2026. During the pendency of those proceedings, FIR No. 0147/2026 came to be registered on 21.07.2026. In the said FIR, Respondent No.2 alleged, *inter alia*, harassment in connection with dowry, demand of ₹10 lakh and a vehicle, acts of cruelty and assault, and threats allegedly extended by the petitioners.

6. Thereafter, *vide* order dated 17.08.2026, the learned Mahila Court, while considering the proceedings under the Protection of Women from Domestic Violence Act, observed that there were no specific allegations of violence against certain respondents and that the allegations against them were omnibus and general in nature. The Court also recorded that certain respondents were residing separately and, accordingly, deleted Respondent



Nos.3 and 5 to 8 from the array of parties.

7. The petitioners have, on the aforesaid factual background, invoked the jurisdiction of this Court seeking quashing of the FIR and the consequential proceedings.

SUBMISSIONS ON BEHALF OF THE PETITIONERS:

8. Learned counsel appearing for the petitioners submits that the impugned FIR arises out of a matrimonial dispute and that the allegations therein, particularly against the family members of Petitioner No.1, are substantially general, omnibus and collective in nature. It is submitted that the FIR does not assign a distinct and specific role to each of the petitioners.

9. Learned counsel further submits that the complainant had already instituted proceedings under the Protection of Women from Domestic Violence Act, 2005 on 25.04.2026. In those proceedings, vide order dated 17.08.2026, the learned Mahila Court recorded that there were no specific allegations of violence against certain respondents and that the allegations against them were omnibus/general in nature. The Court also noted the separate residence of certain respondents and deleted Petitioner Nos.2 and 5 to 8 from the array of parties.

10. Learned counsel submits that even the allegations against Petitioner No.1, Anuj, are not supported by a clear and consistent chronology. The allegations regarding his alleged conduct with other women, assault and the alleged demand of ₹10 lakh and a car, according to counsel, do not consistently identify the particular date, place or occasion on which the alleged acts are stated to have occurred or the specific role attributed to the individual accused.

11. Learned counsel further submits that Petitioner No.3/Ratnesh had



approached the police by a complaint dated 22.02.2026, much prior to registration of the impugned FIR, and thereafter also approached the DCP on 16.07.2026. The impugned FIR was registered on 21.07.2026. It is argued that the sequence of events gives rise to a serious contention that the FIR was lodged as a retaliatory measure in the backdrop of the pre-existing matrimonial dispute and the proceedings initiated by Petitioner No.3.

12. In support of the aforesaid submissions, learned counsel relies upon the decisions of the Hon'ble Supreme Court in ***State of Haryana v. Bhajan Lal 1992 Supp (1) SCC 335***, ***Dara Lakshmi Narayana v. State of Telangana 2024 INSC 953***, ***Mahalakshmi v. State of Karnataka 2023 INSC 1050***, ***Digambar v. State of Maharashtra 2024 INSC 1019***, and ***Kahkashan Kausar @ Sonam v. State of Bihar (2022) 6 SCC 599***, to contend that where allegations in a matrimonial dispute are vague, omnibus and without specific attribution of acts to individual relatives, continuation of criminal proceedings may amount to abuse of the process of law.

SUBMISSIONS ON BEHALF OF THE RESPONDENT:

13. Learned APP for the State, appearing for Respondent No.1, opposes the present petition and submits that the allegations contained in the impugned FIR cannot be characterised as wholly vague or omnibus. It is submitted that specific allegations have been made against Petitioner Nos.1 to 4, namely Anuj, Umesh Kumar, Ratnesh and Shalu, respectively, and their roles have been specifically stated by the complainant.

14. Learned APP further submits that the order dated 17/08/2026 passed by the learned Mahila Court in the proceedings under the Protection of Women from Domestic Violence Act does not, by itself, warrant quashing of the



present FIR. It is submitted that the said order related to proceedings under a different enactment and resulted in deletion of certain respondents on the basis of the allegations and their residential circumstances in those proceedings. The same cannot automatically negate the specific allegations forming the basis of the present FIR, particularly against Petitioner Nos.1 to 4.

15. Learned APP accordingly submits that the impugned FIR discloses cognizable allegations requiring investigation and that the petitioners' contentions essentially seek an appreciation of the truth or falsity of the allegations. It is therefore submitted that no ground for exercise of the inherent jurisdiction of this Court is made out at this stage.

ANALYSIS AND FINDINGS:

16. This Court has considered the submissions advanced on behalf of the parties and has perused the material placed on record.

17. At the outset, it is required to be borne in mind that the jurisdiction under Section 528 of the BNSS is to be exercised to prevent abuse of the process of law or otherwise to secure the ends of justice. At the stage of considering a petition seeking quashing of an FIR, the Court is primarily required to examine whether the allegations contained therein, if taken at their face value, disclose the commission of a cognizable offence. The Court is not required to undertake an appreciation of the evidence or conduct a mini-trial at this stage. The power of quashing is to be exercised sparingly and with circumspection. Reference can be made to judgement of Hon'ble Supreme Court in *M/s Neeharika Infrastructure Pvt. Ltd. v. State of Maharashtra, (2021) 19 SCC 401*; *M/s Balaji Traders v. State of U.P. & Anr., 2025 INSC 806*.

18. The principal contention of the petitioners is that the allegations in the



FIR are vague, omnibus and collective. However, a perusal of the FIR does not support such a submission in its entirety. The FIR does contain certain allegations in general terms, but there are also specific allegations attributing distinct acts to individual petitioners. In particular, the complainant has specifically named Petitioner Nos.3/Ratnesh, 5/Parul and 4/Shalu in relation to repeated taunts and alleged demands of ₹10 lakh, Petitioner No.1/Anuj is specifically alleged to have abused, beaten and threatened the complainant, Petitioner No.4/Shalu is alleged to have instigated Petitioner No.1 and a specific incident is narrated against Petitioner Nos.2/Umesh and 3/Ratnesh concerning their alleged visit to the parental home of the complainant and the alleged assault upon her.

19. The distinction is important since the authorities relied upon by learned counsel for the petitioners, including ***Dara Lakshmi Narayana (supra)***, ***Mahalakshmi (supra)***, ***Digambar (supra)*** and ***Kahkashan Kausar @ Sonam (supra)***, concern cases where the allegations against the relatives were found to be essentially bald, general or omnibus, without specific attribution of acts. The principle emerging from these judgments is not that every matrimonial FIR containing allegations against several family members is liable to be quashed. The question remains whether the allegations in the particular FIR disclose a *prima facie* factual foundation against the accused. In the present case, the allegations extracted hereinabove do attribute specific acts to Petitioner Nos.1 to 4. The absence of a specific date accompanying each and every allegation cannot, by itself, result in the FIR being quashed when the allegations otherwise disclose the nature of the alleged acts and the persons to whom they are attributed.

20. The petitioners have also placed reliance upon the order dated



17.08.2026 passed by the learned Mahila Court in the proceedings under the Protection of Women from Domestic Violence Act, 2005. The said order records that *prima facie* allegations were made out for summoning respondents Nos.2 and 4, while no specific allegations of violence were found against respondents Nos.3, 6, 7 and 8 and certain respondents were also found to be residing separately. Consequently, respondents Nos.3 and 5 to 8 were deleted from the array of parties.

21. The aforesaid order, however, cannot be read as an adjudication upon the correctness or otherwise of the allegations contained in the present FIR. The proceedings under the Protection of Women from Domestic Violence Act and the criminal proceedings arising out of the impugned FIR operate in different statutory fields and the order dated 17.08.2026 was passed on consideration of the pleadings and the Domestic Incident Report before the learned Mahila Court. Significantly, even in those proceedings, the learned Court recorded that *prima facie* allegations were made out against respondents Nos.2 and 4. Thus, the said order does not provide a basis for holding that the criminal allegations against the petitioners are inherently false or incapable of investigation.

22. The contention that the impugned FIR is a counterblast to the complaint made by Petitioner No.3/Ratnesh also cannot, at this stage, be accepted as sufficient to warrant quashing of the FIR. It is not disputed that Petitioner No.3 had submitted a complaint dated 22.02.2026 and thereafter approached the DCP on 16.07.2026, while the impugned FIR was registered on 21.07.2026. This chronology is certainly a circumstance which forms part of the background of the matrimonial dispute, however, the mere existence of a prior complaint does not, by itself, establish that the subsequent FIR is



actuated by *mala fides*. The allegation of counterblast essentially raises a question of motive and surrounding circumstances, which cannot be conclusively determined at the threshold, particularly when the FIR itself contains specific allegations requiring investigation.

23. As regards the challenge to the invocation of Section 316(2) of the BNS and Sections 3 and 4 of the Dowry Prohibition Act, this Court is not required, at this stage, to determine whether the evidence ultimately collected during investigation would be sufficient to sustain each of the offences invoked. The allegations concerning dowry demands, the articles stated to have been given at the time of marriage and the conduct attributed to the petitioners form part of the factual narrative in the FIR. Whether the requisite ingredients of each offence are ultimately established is a matter for investigation and, if necessary, trial. The presence of a disputed or debatable issue concerning one of the provisions invoked cannot, in the facts of the present case, justify quashing of the FIR in its entirety.

24. The case, therefore, does not fall within the categories contemplated in ***Bhajan Lal (supra)*** where the allegations, even if accepted at their face value, fail to disclose any offence or where the proceedings are manifestly attended with *mala fides*. On the contrary, the FIR discloses specific allegations against Petitioner Nos.1 to 4 which, if taken at their face value, require investigation. The disputed questions regarding the correctness of the allegations, the chronology of the incidents, the effect of the prior complaint, the residential arrangements of some of the petitioners and the evidentiary value of the material relied upon by the petitioners cannot appropriately be adjudicated in exercise of the jurisdiction under Section 528 BNSS.

25. Accordingly, no ground for exercise of the inherent jurisdiction of this



Court is made out. The present petition is, therefore, dismissed. Pending applications, if any, are also disposed of.

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

MADHU JAIN, J

SEPTEMBER 23, 2026/ys/P