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

# **CNR No. DLHC010947632024**

+ **W.P.(CRL) 3919/2024**

**RAJBALA AND ORS**

.....Petitioners

Through: Mr. Hemant Singh, Ms. Urvashi Jain,  
Mr. Aman Bidhuri and Mr. Attrey  
Gupta, Advocates.

versus

**STATE NCT OF DELHI AND ANR.**

.....Respondents

Through: Mr. Amol Sinha, ASC for State

**CORAM:**

**HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV**

**ORDER**

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**31.08.2026**

*The matter was listed for 27.08.2026 and is taken up today as 27.08.2026 was declared a holiday.*

1. The instant petition is for the following reliefs:-

*“A. Quash FIR no. 0349 dated 27.11.2023 U/S 323/341/506/34 IPC P.S. Vasant Kunj New Delhi and all consequential proceedings thereof, in the interest of justice.*

*B. Any other relief which this Hon'ble court deems fit and proper in the circumstances of the present case, in the interest of justice.”*

2. The status report has already been filed by the State. In terms of paragraph nos. 2 and 3 thereof, the State has taken the following position:-

*“2. During investigation the accused/petitioners Smt. Rajbala, raveen, Beeta joined investigation and submitted that they have lodged an 474/2021 FIR U/s 323/341/506/34 IPC against Nikhil, Kavita, Monika*



and Babinder regarding the same incident that occurred on 23.10.2021. The accused/petitioners Smt. Rajbala, raveen and Beeta were bound down in the case FIR No. 349/2023. The final result of the MLC's of Kavita and Babinder was obtained and doctor opined the nature of injury as "simple". Investigation has been concluded and final charge sheet has been filed in the Hon'ble Court N.D.O.H is 28.04.2025.

3. It is pertinent to mention that in case FIR No, 474/21 U/s 323/34 1/506/34 IPC lodged by Smt. Rajbala a final charge sheet has been filed against Nikhil, Monika and Kavita the matter is at the stage of charge and N.D.O.H is 07.06.2025.”

3. In case the investigation is complete and the charge sheet is filed, directions to quash the FIR generally should not be passed. Reference can be made to the decision of the Supreme Court in the case of **State of Odisha v. Pratima Mohanty Etc.**,<sup>1</sup> wherein it was held as under:-

“6.2 It is trite that the power of quashing should be exercised sparingly and with circumspection and in rare cases. As per settled proposition of law while examining an FIR/complaint quashing of which is sought, the court cannot embark upon any enquiry as to the reliability or genuineness of allegations made in the FIR/complaint. Quashing of a complaint/FIR should be an exception rather than any ordinary rule. Normally the criminal proceedings should not be quashed in exercise of powers under Section 482 Cr.P.C. when after a thorough investigation the charge-sheet has been filed. At the stage of discharge and/or considering the application under Section 482 Cr.P.C. the courts are not required to go into the merits of the allegations and/or evidence in detail as if conducting the mini-trial. As held by this Court the powers under Section 482 Cr.P.C. is very wide, but conferment of wide power requires the court to be more cautious. It casts an onerous and more diligent duty on the Court.”

[Emphasis Supplied]

4. Reference can also be made to the decision of the Supreme Court in **Iqbal @Bala & Ors. v. State of U.P. & Ors.**,<sup>2</sup> wherein it was recorded as under:-

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<sup>1</sup> (2021) 9 SCR 335.

<sup>2</sup> 2023:INSC:685.



*“It is relevant to note that the victim has not furnish any information in regard to the date and time of the commission of the alleged offence. At the same time, we also take notice of the fact that the investigation has been completed and charge sheet is ready to be filed. Although the allegations levelled in the FIR do not inspire any confidence more particularly in the absence of any specific date, time, etc. of the alleged offences, yet we are of the view that the appellants should prefer discharge application before the Trial Court under Section 227 of the Code of Criminal Procedure (CrPC). **We say so because even according to the State, the investigation is over and charge sheet is ready to be filed before the competent court. In such circumstances, the Trial Court should be allowed to look into the materials which the investigation officer might have collected forming part of the charge sheet. If any such discharge application is filed, the Trial Court shall look into the materials and take a call whether any case for discharge is made out or not.**”*

[Emphasis Supplied]

5. In view of the aforesaid development, the instant petition stands disposed of, granting liberty to the petitioner to raise all the issues before the concerned Court at the stage of framing of charges.
6. All rights and contentions of the parties are left open.

**PURUSHAINDRA KUMAR KAURAV, J**

**AUGUST 31, 2026**

**Nc**