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

+ **W.P.(CRL) 1642/2023 & CRL.M.A. 15337/2023**

VIMAL KUMAR & ORS.

.....Petitioners

Through: Ms. Pooja Singh and Ms. Aditi
Rawat, Advocates.

versus

STATE OF DELHI & ORS.

.....Respondents

Through: Ms. Rupali Bandhopadhyaya, ASC with
Mr. Abhijeet Kumar and M.s Amisha
Gupta, Advocates for the State.
W/SI Manisha, PS: Nihal Vihar.
Ms. Shalini Sengar, Advocate for R-
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CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

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14.10.2025

1. The present petition under Article 226 of the Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeks quashing of FIR no. 0779/2022 registered under Sections 498A/406/34 of the Indian Penal Code, 1860 registered at P.S. Nihal Vihar.
2. The Court is apprised that during the pendency of the present proceedings, a chargesheet has been filed, wherein the names of Petitioners No. 6 (Poonam), 7 (Neelam Prajapati), 8 (Maleshwari) and 10 (Jyoti Devi @ Asha) have been mentioned in Column no. 12 and the names of Petitioners No. 1 (Vimal Kumar), 2 (Ramji Prasad), 3 (Mayank Prabha), 4 (Mithlesh) and 5 (Vinay) have been mentioned in Column no. 11. It is stated that the



name of Petitioner No. 9 (Rajesh Prajapati @ Pintoo) is not mentioned in the chargesheet.

3. It is noted that cognizance has been taken only against some of the Petitioners, and the matter is presently at the stage of arguments on the point of charge before the Trial Court.

4. In view of the above, counsel for the Petitioners seeks leave to withdraw the present petition, with liberty to raise all grounds urged herein before the Trial Court at the stage of arguments on the point of charge.

5. Dismissed as withdrawn, with liberty as aforesaid.

6. It is clarified that the grounds urged in the present petition, as well as those available in law, are permitted to be raised before the Trial Court at the stage of arguments on the point of charge, which shall be considered on their own merits. In the event the order passed by the Trial Court is not favourable to the Petitioners, they shall be at liberty to avail appropriate remedies, in accordance with law.

7. The Court has not commented on the merits of the case. All rights and contentions of the parties are left open.

8. Pending application also stands disposed of.

SANJEEV NARULA, J

OCTOBER 14, 2025

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