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

+ **W.P.(CRL) 1766/2021**

AJAY KUMAR BISHNOI

.....Petitioner

Through: Mr Jai Sai deepak, Senior Advocate
along with Mr. Avinash Sharma, Mr
Sidhi Pramodh Rayudu, Mr Ankit
Sibbal, adv, Mr Rohitt Kumar Yadav,
adv and Mr akash katiyar, Advocate.

versus

STATE OF NCT OF DELHI & ANR.

.....Respondent

Through: Ms. Rupali Bandhopadhy, ASC for
State with Insp. Surendra Kumar.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

18.12.2025

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1. A Writ Petition under Article 226 of the Constitution of India Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 Cr.P.C has been filed on behalf of the Petitioner for quashing of FIR No.36/2018 dated 06.03.2018 registered at EOW, Mandir Marg, Delhi.

2. Learned ASC on behalf of the State states that the Chargesheet already stands filed on 03.12.2025.

3. The perusal of the Petition and the submissions made on behalf of the Petitioner shows that the quashing of the FIR was sought on the ground of breach of trust and the civil dispute being given a colour of criminal dispute. It is alleged that no ingredients of the offences have been made out and there



is also a preliminary finding given by the High Court of Madras after which the matter got transferred to Delhi.

Submissions heard.

4. The quashing of the FIR is sought essentially on the ground that it discloses a breach of trust and a civil dispute which has been given a colour of criminal dispute as has also prima facie observed by the High Court of Madras before the case got transferred to Delhi. However, it cannot be overlooked that these are the ground for challenge on merits of the case which can be well contended before the learned Trial Court. The jurisdiction under Section 482 Cr.P.C. is an extraordinary jurisdiction to be exercised essentially to prevent abuse of the process of law and if it is in the interest of justice, in case the merits of the case have to be appreciated, the best Court to do so is the Trial Court before which the Chargesheet has already been filed.

5. The Petition is disposed of with liberty to the Petitioner to raise all these contentions before the learned Trial Court.

6. The Writ Petition stands disposed of accordingly along with the pending Application(s).

NEENA BANSAL KRISHNA, J

DECEMBER 18, 2025/va