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

+ W.P.(CRL) 1701/2025, CRL.M.A. 15858/2025

ATUL MARAN & ORS.

.....Petitioners

Through: Ms. Rhythm Gupta, Mr. H. R. Dhamija and Mr. Jagdish Arora, Advocates.

versus

THE STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Ms. Rupali Bandhopadhyya, ASC with Mr. Abhijeet Kumar and Ms. Amisha Gupta, Advs. for R-1.
Mr. Siddharth Srivastava, Ms. Sanju Bala and Mr. Saurav Sharma, Advs. for R-2.

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W.P.(CRL) 1828/2025, CRL.M.A. 17176/2025

AAKASH GANGWAR

.....Petitioner

Through: Ms. Rhythm Gupta, Mr. H. R. Dhamija and Mr. Jagdish Arora, Advocates.

versus

STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Ms. Rupali Bandhopadhyya, ASC with Mr. Abhijeet Kumar and Ms. Amisha Gupta, Advs. for R-1.
Mr. Siddharth Srivastava and Mr. Saurav Sharma Advs., for R-2.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

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29.08.2025

1. Aforesaid two Writ Petitions under Article 226 of the Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 have been filed on behalf of the Petitioners/accused Atul Maran, Gyan Singh Kushawaha, Shubham Tyagi and Aakash Gangwar respectively for



quashing of the FIR No.0113/2025 under Sections 79/131/281/296 of BNS, 2023 registered at P.S.: Dabri, Delhi.

2. It is submitted that the FIR is an abuse of process of law, as it is an outcome of ego of the Complainant. It is a small incident of scratch on cars, which happened on 17.02.2025, which has been exaggerated. There are allegations of abusive language, which have been leveled against the Petitioners. However, it was a small incident and there is *prima facie* no criminality made out in the present FIR. The incident happened on 17.02.2025 and the Petitioners were called to the Police Station and made to sit there for about four hours. However, the formal Complaint was made only on 19.02.2025, on which present FIR was registered.

3. Petitioners Atul Maran, Gyan Singh Kushawaha and Shubham Tyagi were merely the occupants of the car and they cannot be held in any way, responsible for the alleged offence in regard to which the Complaint has been made. The car was being driven by Aakash Gangwar (Petitioner in W.P.(CRL)1828/2025) and at best the allegations can be made against him only.

4. It is submitted that further allegations have been made by the Complainant in her rejoinder, which is nothing but an afterthought, and her case is nothing but an abuse of process of the power and the FIR is liable to be quashed.

5. Learned counsel for the Petitioners submit that Chargesheet already stands filed in the Court, on which cognizance has been taken on 09.07.2025 and the Petitioners have been summoned. They have appeared before the Court today, on 29.08.2025 and have been supplied with the Chargesheet, though there are certain other documents, which have been sought by them.



Submissions heard and record perused.

6. Essentially, the quashing of FIR is sought only on the merits of the case. It is asserted that it was a small incident of scratching of car in heavy traffic. It is nothing but the ego of the Complainant, which has resulted in registration of FIR and is an abuse of process of law. However, there is no denying that there was an incident of scratching of vehicles, which had taken place. There are also specific allegations of abuses having been extended by the accused person.

7. Incident may be of few second, but it cannot be ignored that it is a incident, which did happen. All these averments in fact, are touching on the merits of the case. The Chargesheet has already been filed. Petitioners are at liberty to raise their contentions on merits of the case before the learned Trial Court.

8. With these observations, both Writ Petitions along with pending Applications, are disposed of.

NEENA BANSAL KRISHNA, J.

AUGUST 29, 2025/R