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

+ **W.P.(CRL) 2233/2025 & CRL.M.A. 20761/2025**

VIKASH KUMAR & ORS.

.....Petitioners

Through: Ms. Medhani Tyagi, Mr. Utsav
Kumar, Advocates

versus

STATE OF NCT OF DELHI & ANR. & ORS.Respondents

Through: Mr. Anand V. Khatri, ASC for the
State with Mr. Aditya Khatri,
Advocate along with SI Neha Khatri,
PS Vijay Vihar

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

% **14.10.2025**

1. The present writ petition under Article 226 of the Constitution of India seeks quashing of FIR No. 260/2024 dated 15th July, 2024, registered at P.S. Vijay Vihar, Delhi under Sections 376, 323, 509 and 506 of the Indian Penal Code, 1860¹ in which the proceedings are presently pending adjudication before ASJ (FTC), North-West District, Rohini Courts, Delhi.
2. The petition was instituted at a stage when the investigation was still in progress. However, the position has since changed materially, investigation stands concluded, a charge-sheet has been filed, cognizance has been taken, the Petitioner has been summoned, and charges have already been framed.

¹ "IPC"



3. The legal position governing the exercise of inherent and extraordinary jurisdiction is well settled. The power to quash criminal proceedings under Article 226 of the Constitution or Section 482 of the Code of Criminal Procedure, 1973² (corresponding to Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023³) is to be exercised sparingly, in the rarest of cases, and only to prevent abuse of process or to secure the ends of justice. The test is whether, on a plain reading of the FIR and the material collected during investigation, the essential ingredients of the alleged offences are altogether absent. Once a charge-sheet has been filed, and more so after charges are framed, the Court's scope of scrutiny becomes even more limited; it cannot undertake a "*mini-trial*" or assess the sufficiency of the evidence. If the material on record discloses a *prima facie* case or even a strong suspicion that the accused has committed the offence, the proceedings must be allowed to continue. Only in exceptional cases where the defence material is of "*sterling and unimpeachable quality*" that completely nullifies the prosecution version on its face may quashing be considered.

4. Applying the above principles, the framing of charges by the Trial Court itself signifies a judicial determination that sufficient grounds exist to proceed against the accused. At this juncture, the invocation of extraordinary jurisdiction under Article 226 of the Constitution or the inherent jurisdiction under Section 482 CrPC cannot serve as a substitute for the statutory remedies of discharge or revision provided under the procedural law. Entertaining a petition for quashing after framing of charge would amount to short-circuiting the trial process and undermining the framework of criminal

² "CrPC"

³ "BNSS"



adjudication. The proper recourse for the Petitioner, if aggrieved by the order framing charges, lies in pursuing the appropriate remedy in accordance with law.

5. In view of the foregoing, this Court finds no ground to exercise its inherent or writ jurisdiction. Accordingly, the present petition is disposed of along with pending application(s).

6. It is clarified that this Court has not expressed any opinion on the merits of the case, and all rights and contentions of the parties are left open to be urged before the Trial Court, in accordance with law.

SANJEEV NARULA, J

OCTOBER 14, 2025/ab