



\$~11

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

+ CRL.M.C. 9217/2025, CRL.M.A. 38487-38488/2025

VED PRAKASH

.....Petitioner

Through: Mr. Dalip Kumar Santoshi and
Mr. Saurabh Kumar, Advocates.

versus

THE STATE OF NCT OF DELHI & ANR.Respondents

Through: Mr. Hemant Mehla, APP for State
with SI Gajal Chugh, PS-Krishna
Nagar.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

23.12.2025

%

1. This petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023¹ (corresponding to Section 482 of the Code of Criminal Procedure, 1973²) seeks quashing of FIR No. 0351/2025 dated 16th April, 2025, registered at P.S. Krishna Nagar, Delhi, under Sections 75/3(5)/351(2) of Bharatiya Nyaya Sanhita, 2023³ and Section 10 of the Protection of Children from Sexual Offences Act, 2012⁴, and all other proceedings emanating therefrom.

2. The record reflects that prior to the registration of the impugned FIR, the Petitioner had approached the District Magistrate under the Delhi Maintenance and Welfare of Parents and Senior Citizens Rules

¹ "BNSS"

² "CrPC"

³ "BNS"



(Amendment), 2016, seeking eviction of his son from the shared premises. The said petition came to be allowed in favour of the Petitioner *vide* order dated 10th March, 2025.

3. It is the case of the Petitioner that subsequent to the aforesaid order, he was subjected to physical assault by his son, in respect whereof complaints dated 19th March, 2025 and 21st March, 2025 were addressed to the SHO, P.S. Krishna Nagar. Alleging inaction on the part of the police authorities, the Petitioner approached this Court seeking protection. In the said proceedings, this Court, *vide* order dated 27th March, 2025 passed in W.P.(CRL) 978/2025, directed the SHO concerned to provide adequate protection to the Petitioner.

4. Thereafter, on 10th April, 2025, the eviction order passed by the Magistrate was executed. The Petitioner contends that the present FIR has been lodged thereafter by the complainant, who was residing in the same premises along with her daughter from a second marriage, allegedly as a consequence of the eviction proceedings initiated by the Petitioner against her half-brother.

5. Mr. Hemant Mehla, APP for the State, submits that the investigation stands completed and the chargesheet has been filed. It is stated that while the names of the other co-accused reflected in the FIR have been placed in Column No. 12 of the charge sheet, the Petitioner has been shown in Column No. 11. It is further submitted that cognizance of the offences has already been taken by the Trial Court and the proceedings are currently at the stage of point of charge.

6. Having regard to the stage of the proceedings, counsel for the

⁴ “POCSO Act”



Petitioner, at the first instance, seeks leave to withdraw the present petition, with liberty to urge all grounds raised herein before the Trial Court at the stage of arguments on point of charge. Liberty is also sought to avail appropriate remedies in accordance with law, should the order be unfavourable to the Petitioner.

7. Leave and liberty, as prayed for, are granted.

8. It is clarified that all grounds urged in the present petition, as well as those otherwise available in law, shall remain open for consideration before the Trial Court. The Trial Court shall consider the same in accordance with law, including the contention of the Petitioner regarding the delay in the lodging of FIR, particularly in the context of the assertion that the allegations pertain to events stated to have occurred nearly a decade ago.

9. With the above observations and reserving all rights and contentions of the Petitioner, the present petition is disposed of along with all pending applications.

SANJEEV NARULA, J

DECEMBER 23, 2025

nk