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

+ CRL.M.C. 563/2026, CRL.M.A. 2275/2026 & CRL.M.A. 2276/2026

MANOJ KUMAR

.....Petitioner

Through: Ms. Ankita Baluni, Mr. Siddharth Gautam, Advocates.

versus

STATE NCT OF DELHI & ANR.

.....Respondents

Through: Ms. Manjeet Arya, APP for State.
SI Akash Kumar, PS-Bhajanpura.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **22.01.2026**

1. The petitioner seeks quashing of criminal proceedings emanating from FIR No. 78/2017 dated 02.03.2017 registered at Police Station Bhajanpura, District North East, Delhi, under Sections 323/341/506/509/34 of the Indian Penal Code, 1860 ["IPC"].
2. The impugned FIR was registered at the instance of respondent No. 2 - complainant - who was married to the petitioner's brother. The allegation in the FIR is that the petitioner and his brother slapped the complainant 4-5 times when she visited the Crime Against Women Cell for counselling in connection with matrimonial disputes between her and her husband. It is further alleged that the petitioner and his brother started abusing the complainant and her brother, and threatened to abduct her father and brother.



3. I am informed that pursuant to the said FIR, a chargesheet was filed on 10.04.2017 and charges were framed by the Court of the Metropolitan Magistrate (Mahila Court), District North East, Karkardooma Courts, Delhi [“M.M. Court”] [in Criminal Case No. 2108/2017] by order dated 28.03.2023, and that the proceedings before the MM Court are at the stage of prosecution evidence. The complainant has been examined-in-chief, and the matter is fixed for her cross-examination.

4. Ms. Ankita Baluni, learned counsel for the petitioner, submits that the subject FIR arises out of matrimonial differences between the complainant and her husband, who has since passed away. Ms. Baluni states that another FIR, being FIR No. 211/2017 dated 30.05.2017, was also registered at the instance of the same complainant under Sections 498-A/406/34 of the IPC and Section 4 of the Dowry Prohibition Act, 1961, at Police Station Karawal Nagar, District North East, Delhi. She submits that in the said FIR, the present petitioner was discharged by an order of the Metropolitan Magistrate dated 07.10.2023 [in Criminal Case No. 3283/2018], and charges were framed only against the petitioner’s mother (mother-in-law of the complainant). Ms. Baluni further submits that a petition has also been filed by the petitioner’s mother for quashing of the said FIR.

5. Having heard Ms. Baluni, I do not find any ground for quashing of the criminal proceedings at this stage. The subject FIR pertains to an incident and offences, which are entirely different from those in FIR No. 211/2017, in which the petitioner has been discharged. The subject FIR was registered in the year 2017, charges have been framed against the



petitioner, which remained unchallenged, and the trial is in progress. The submission of Ms. Baluni that the FIR should be quashed because respondent No. 2's husband (the petitioner's brother) has since passed away is entirely untenable. The complainant's case was against both, her husband and the present petitioner. In these circumstances, there is no ground for this Court to intercede in the proceedings at this stage.

6. The petition, alongwith pending applications, is therefore dismissed.

7. It is made clear that the observations made in this order are only for the purpose of disposing of the present petition and will not prejudice the rights and contentions of the petitioner at the trial.

PRATEEK JALAN, J

JANUARY 22, 2026

'Bhupi/JM' /