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

+ CRL.REV.P. 69/2026, CRL.M.(BAIL) 187/2026

SANTOSH SINGH

.....Petitioner

Through: Dr. Vivek Bhardwaj and Ms. Pinki Singh, Advocates.

versus

THE STATE NCT OF DELHI

.....Respondent

Through: Ms. Shubhi Gupta, APP for the State with SI Sanjana, P.S.: Sarojini Nagar.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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28.01.2026

By way of the present petition filed under section 415 of the Bharatiya Nagarik Suraksha Sanhita 2023 ('BNSS'), the petitioner impugns judgment of conviction dated 27.05.2025 passed by the learned JMFC/MM-05, Patiala House Courts, New Delhi District, New Delhi in case FIR No. 20/2012 registered under sections 279/338 of the Indian Penal Code, 1860 ('IPC') at P.S.: Sarojini Nagar, Delhi.

2. Issue notice.
3. Ms. Shubhi Gupta, learned APP appears on behalf of the State on advance copy; and accepts notice.
4. The court has heard Dr. Vivek Bhardwaj, learned counsel appearing for the petitioner, as well as Ms. Shubhi Gupta, learned APP appearing for the State in the matter.
5. The case involves an incident that happened at about 10:15 p.m. on 12.01.2012 at Brigadier Hoshiyar Singh Marg, New Delhi, when the petitioner and the complainant (victim) were traveling together in a car bearing No. HR 26 B9333. The petitioner was alleged to have been



driving the vehicle in a rash and negligent manner; which resulted in the car hitting a road divider, the impact of which was so strong that the windshield of the car broke and the shards of glass went into the eyes of the complainant, who resultantly lost his eyesight.

6. Thereupon, the subject FIR came to be registered; and the MLC showed that the complainant had suffered a grievous injury; and accordingly, section 337 of the IPC was replaced with section 338 IPC.
7. The complainant, who was an injured witness, supported the prosecution case during the trial.
8. It was also confirmed at the trial that the car had been purchased by the petitioner from its owner on 30.12.2011.
9. Furthermore, the mechanical inspection report in relation to the vehicle was duly exhibited during the course of trial; and showed that the front bumper, grill and bonnet of the offending vehicle were dented and pressed out of shape. The report also noted that even the dashboard of the vehicle was damaged, which evidenced the fact that the vehicle was being driven at a high speed to the extent that the impact of the collision reached *beyond* the bumper, grills and bonnet; and upto the dashboard.
10. In his statement before the learned trial court, the petitioner infact stated, that he was *not* driving the vehicle at a high speed, and instead, that the accident took place due to dense fog at the relevant time. If anything, the damage sustained by the vehicle, when viewed in light of the petitioner's defence that there was dense fog, only further establishes the rash and negligent manner in which the vehicle was being driven.



11. Both, judgment on conviction dated 27.05.2025 passed by the learned Magistrate, as well as judgment dated 17.12.2025 passed by the learned Appellate Court, record that as a result of the windshield/shards having gone into the complainant's eyes, the complainant lost his vision.
12. Consequent upon completion of the trial, the petitioner was sentenced to 06 months simple imprisonment for the offence under section 338 IPC; and to 03 months simple imprisonment for the offence 279 IPC; and sentences were directed to run concurrently.
13. Having perused judgment of conviction dated 27.05.2025 passed by the learned Magistrate, as well as judgment dated 17.12.2025 passed by the learned Appellate Court; and having heard learned counsel for the parties, this court is of the view that no ground is made-out for this court to interfere with the Appellate Court's judgment in its revisional jurisdiction under section 438 of the BNSS. This court finds nothing amiss in the correctness, legality or propriety of the findings as recorded in that judgment.
14. The revision petition is accordingly dismissed, at the stage of issuance of notice itself.
15. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

JANUARY 28, 2026

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