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

+ CRL.M.C. 2975/2026 & CRL.M.As. 12081-12082/2026

SUNIL SACHWANI

.....Petitioner

Through: Mr. Mukesh Vatsa, Mr. Tarun
Kaushik, Mr. Pranav Kumar and
Mr. Ayush, Advocates.

versus

STATE NCT OF DELHI

.....Respondent

Through: Ms. Manjeet Arya, APP.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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20.04.2026

1. By way of this petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the petitioner seeks quashing of FIR No.625/2024 dated 06.12.2024, registered at Police Station Fatehpur Beri, District South, New Delhi, under Section 33 of the Delhi Excise Act, 2009. Alternatively, the petitioner seeks directions to the learned Trial Court to grant him an opportunity to submit arguments on discharge and to pass a reasoned order thereafter.

2. Mr. Mukesh Vatsa, learned counsel for the petitioner, submits that charges were framed by the learned Trial Court without any speaking or reasoned order, and that too without giving the petitioner the mandatory time of 60 days for filing a discharge application as provided under Section 262 of the Bharatiya Nagarik Suraksha Sanhita, 2023. He also draws my attention to paragraph 15 of the impugned order dated 05.02.2026 passed by the learned Revisional Court, wherein the Court



records that the learned Trial Court had not passed a speaking and reasoned order while framing charges. Mr. Vatsa further submits that the chargesheet was supplied to the petitioner on 29.08.2025 and, without providing any opportunity for scrutiny of the chargesheet or accompanying documents, charges were framed by a cryptic order dated 28.10.2025, which reads as follows:

“Charge under Section 33 Delhi Excise Act has been framed against the accused to which he pleaded not guilty and claimed trial. Statement of accused u/s 330 BNSS is recorded. Accordingly PW at serial no. 3 and 5 stands dropped. Let PW mentioned at serial no. 1 be summoned alongwith MHC(M) for NDOH. Now to come up on 21.01.2026 for PE.”

3. Paragraph 15 of the order of the learned Revisional Court, relied upon by the petitioner, records that the order of the learned Trial Court was unreasoned and non-speaking.
4. Ms. Manjeet Arya, learned Additional Public Prosecutor for the State, submits, upon instructions from the Investigating Officer, that the matter may be remanded to the learned Trial Court for fresh consideration of the arguments on charge.
5. The orders of the learned Trial Court dated 28.10.2025 and of the learned Revisional Court dated 05.02.2026 are, therefore, set aside, and the matter is remanded to the learned Trial Court for fresh consideration and for passing of a reasoned order on charge.
6. The petition, alongwith pending applications, is disposed of in terms of the aforesaid.

PRATEEK JALAN, J

APRIL 20, 2026/SS/KA/