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

+ **CRL.M.C. 4647/2025**

RABJEET SINGH

.....Petitioner

Through: Mr. Nitesh K. Singh, Mr. Abhishek
Bhardwaj, Advocates.

versus

GOVT. OF NCT OF DELHI

.....Respondent

Through: Ms. Manjeet Arya, APP alongwith
Mr. Abhimanyu Arya, Advocate.
SI Manoj Kumar, PS Domestic
Airport.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **21.04.2026**

1. By way of this petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the petitioner seeks quashing of FIR No. 14/2025 dated 19.01.2025, registered at Police Station IGI Airport, New Delhi, under Section 25 of the Arms Act, 1959 [“the Act”].
2. I have heard Mr. Nitesh K. Singh, learned counsel for the petitioner, and Ms. Manjeet Arya, learned Additional Public Prosecutor for the State.
3. Ms. Arya has handed over a status report dated 16.04.2026, which is taken on record.
4. The petitioner, who was then 22 years old, was travelling from Delhi to Indore on 18.01.2025 when he was found to be carrying one live cartridge. Upon interrogation, the petitioner stated that he had no information about the said cartridge and was released on furnishing a



personal bond.

5. The FIR was registered on 19.01.2025, and the petitioner joined the investigation on 27.01.2025. He stated that the cartridge belonged to his maternal uncle, Mr. Harpreet Singh, who holds a valid arms license, and that the same was purchased from Bharat Gun House, Sitarganj, Udham Singh Nagar, Uttarakhand.

6. It is stated in the status report that, Mr. Harpreet Singh's statement has been recorded, and he is found to have a valid arms license. The investigating agency has also inquired with M/s. Bharat Gun House, which has verified the purchase of 80 cartridges of .32 bore by Mr. Harpreet Singh between 08.12.2017 and 14.11.2024. The report was sought from the Forensic Science Laboratory, Rohini, New Delhi, which has also confirmed that the ammunition recovered from the petitioner is compatible with the licensed weapon of Mr. Harpreet Singh.

7. Mr. Singh submits that the petitioner was not in conscious possession of the live cartridge recovered from his bag. The cartridge was left in the pocket of a garment which belonged to Mr. Harpreet Singh, and had mistakenly been packed in the petitioner's luggage.

8. This Court has, in several decisions, quashed FIRs in cases where possession of the firearm or ammunition was found to be inadvertent, and conscious possession was not *prima facie* made out. The Court has explained that conscious possession requires knowledge and intent, rather than mere physical possession of the object. Reliance in this connection may be placed upon the decisions in *Sonam Chaudhary v. The State (Government of NCT of Delhi)* [2016 SCC OnLine Del 47]; *Mitali Singh v. NCT of Delhi and Anr.* [W.P.(Crl.) 2095/2020, decided on 15.12.2020];



Rahul Mamgain v. State of NCT of Delhi and Anr. [Crl. M.C. 3783/2022, decided on 17.08.2022]; and *Hardeep Singh v. State NCT of Delhi* [CRL.M.C. 6099/2025 and connected matter, decided on 14.01.2026].

9. Applying these principles to the present case, there is no material before the Court to contradict the petitioner's plausible explanation that the cartridge belonged to his uncle, who possesses a valid arms license. The mere recovery of the cartridge, without any accompanying firearm or other incriminating material, does not suggest any *mens rea* or culpable intent on the part of the accused. There is no allegation that the ammunition was intended to be used for any unlawful purpose. The material, therefore, does not support a finding of conscious possession by the petitioner.

10. Although the Act imposes strict criminal liability, the interpretation placed by the Court in the aforesaid cases, seeks to avoid criminalising unintentional, technical lapses, devoid of incriminating circumstances. The absence of any weapon, the lack of evidence of knowledge, and the isolated recovery of a single cartridge lend credibility to the conclusion that no offence under Section 25 of the Act is made out.

11. In these circumstances, continuation of the proceedings pursuant to the impugned FIR, would subject the petitioner to undue harassment and prolonged litigation. I am, therefore, of the view that the FIR is liable to be quashed, but subject to costs imposed upon the petitioner for unnecessary expenditure of effort by the State machinery, which could have been avoided by due vigilance on his part.

12. For the aforesaid reasons, the petition is allowed, and FIR No. 14/2025 dated 19.01.2025, registered at Police Station IGI Airport, New



Delhi, under Section 25 of the Act, alongwith all consequential proceedings arising therefrom, is hereby quashed, subject to costs of Rs.15,000/- to be deposited by the petitioner with the Delhi High Court Bar Association Costs Account [A/C No. 15530110179338; IFSC No. UCBA0001553; UCO Bank, Delhi High Court Branch].

13. The costs be deposited within four weeks from today. An affidavit of compliance be filed within one week thereafter.

14. The present petition is disposed of.

PRATEEK JALAN, J

APRIL 21, 2026

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