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

% ***Date of Decision: 08th January, 2026***

+ **CRL.M.C. 156/2026 & CRL.M.A. 529/2026 & CRL.M.A. 530/2026
& CRL.M.A. 531/2026**

AMIT YADAV

.....Petitioner

Through: Mr. Suresh Chand, Advocate
(through V.C.)

versus

THE STATE (N.C.T OF DELHI) & ORS.Respondents

Through: Mr. Satinder Singh Bawa, APP for the
State with SI Prajjwal, PS Prem Nagar

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. An FIR was registered on the basis of the complaint of the petitioner-Amit Yadav for commission of offences under Section 323/341/34 IPC.
2. According to complainant, he was hit with a brick and the police should have rather registered a case for commission of offence under Section 308 IPC. He contends that the police has deliberately diluted the offence and did not even bother to collect the relevant CCTV footage which would have, clearly, indicated the intention and knowledge aspect on the part of the concerned accused persons.
3. The charges have already been framed for commission of offences under Section 323/341/34 IPC.



4. Petitioner, feeling aggrieved by order dated 16.03.2024, passed by the learned Trial Court whereby the charges were ascertained, filed a Revision Petition and even such Revision Petition has been dismissed *vide* order dated 21.08.2025.
5. This is how the petitioner has filed the present petition.
6. However, during course of the arguments, when asked, learned counsel for the petitioner submitted that petitioner is yet to enter into witness box.
7. Obviously, once the petitioner enters into witness box and makes deposition, depending upon his testimony, the Court can always alter or amend the charge *suo moto* or an application to that effect can be moved by the prosecution. Therefore, at this stage, this Court does not find any necessity of interfering with the impugned orders.
8. Learned counsel for the petitioner also submits that he would not press the present petition provided the abovesaid option is left open.
9. The petition stands disposed of in aforesaid terms.
10. Needless to emphasize, it will be always open to learned Trial Court to take appropriate decision with respect to alteration or amendment in the charge, if so required, after appreciating the evidence of the petitioner and also of the concerned doctor.
11. Pending applications also stand disposed of in aforesaid terms.

(MANOJ JAIN)
JUDGE

JANUARY 8, 2026
st/js