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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
% **Date of Decision: 9th February, 2026**
+ CRL.M.C. 1918/2023 & CRL.M.A. 7297/2023
AARTI SHARMAPetitioner

Through: Ms. Swadha Gupta with Mr. Aditya
Singh, Advocates.

versus

STATERespondent
Through: Mr. Sunil Kumar Gautam, APP for the
State with SI Kamal, PS Tuglak Road.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

JUDGMENT (oral)

1. Petitioner is facing trial for commission of offences under Section 186/353/332/298 IPC, 1860.
2. Charges were framed by learned Trial Court on 12.08.2022 and such order was challenged by the petitioner by filing a Revision Petition.
3. Her main contention before the learned Revisional Court was to the effect that since accused had been charged for offence under Section 186 IPC also and cognizance for said offence could not have been taken in view of Section 195 Cr.P.C. as no separate complaint, as such, had been filed. It was contended that since all the offences were intrinsically interwoven and were inseparable, cognizance for the other offences was also not sustainable.
4. All such contentions did not find favour and resultantly, revision petition has been dismissed.
5. Such order is under challenge.
6. During course of the arguments, learned counsel for the petitioner reiterated that cognizance was bad in law and has, *inter alia*, relied upon *Santoksh Singh Chawla vs. State of NCT of Delhi: 2023 SCC OnLine Del 4773*, *Mohan Kukreja vs. The State Govt. of NCT of Delhi & Anr.: 2019 SCC*



OnLine Del 6398 and *Daulat Ram vs. State of Punjab*: 1962 SCC OnLine SC 342.

7. The concerned public servant has already, reportedly, expired as he was suffering from cancer.
8. After hearing arguments for some time, learned counsel for the petitioner, without prejudice to her rights and contentions, seeks to withdraw the present petition with liberty to raise all such contentions afresh before the learned Trial Court, at the stage of final arguments.
9. Learned Addl. P.P. for the State has also no objection in this regard.
10. In view of the above, the present petition is disposed of as not pressed.
11. Liberty as prayed is given and, therefore, as and when the case reaches the stage of final arguments, it would be permissible for the learned Trial Court to hear arguments with respect to the statutory requirement of filing a complaint under Section 195 Cr.P.C. and to decide the abovesaid issue, without being influenced by the order dated 14.12.2022 passed by learned Revisional Court in CrI. Rev. No.504/2020.
12. The petition stands disposed of in aforesaid terms.
13. Pending application also stands disposed of.

(MANOJ JAIN)
JUDGE

FEBRUARY 9, 2026/dr/js