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

Date of decision: 31.07.2026

Uploaded on: 03.08.2026

+ **CRL.M.C. 5426/2026**

CHANDER BOHRA AND ANR.

.....Petitioners

Through: Mr. Sanjay Baniwal, Mr. Parminder Singh Sandhu and Mr. Neelesh Singh, Advs.

versus

STATE NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Nawal Kishore Jha, APP for State

CORAM:

HON'BLE MS. JUSTICE MADHU JAIN

Madhu Jain, J. (Oral)

1. This hearing has been done through hybrid mode.
2. The present petition has been filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 hereinafter referred to as 'BNSS'), seeking quashing of **FIR No. 617/2019** dated 24.11.2019 registered at Police Station Khajuri Khas, North East Delhi, under Sections 354B/323/34 of the Indian Penal Code, 1860, insofar as it concerns Petitioner No. 1, Chander Bohra @ Chandan Singh Bohra, and Petitioner No. 2, Ashish Bohra, along with all consequential proceedings arising therefrom.
3. Brief facts of the case are that on 21.11.2019, a neighbourhood dispute arose after the physically disabled son of Dinesh Gaur accidentally came into contact with a vehicle parked by the complainant's family, leading to a verbal altercation that escalated into a physical scuffle. FIR No.



617/2019 was thereafter registered against six persons, including the present Petitioners.

4. The learned counsel for Petitioners submits that **FIR No. 617/2019** does not disclose any specific or individualized allegations against them. It is submitted that Petitioner No. 1 is only alleged to have verbally abused the complainant, while no specific act whatsoever has been attributed to Petitioner No. 2.

5. He further submits that the FIR contains only omnibus allegations, although the dispute primarily arose between the Gaur family and the complainant's family, with whom the Petitioners have no connection.

6. It is further contended that the FIR was lodged after an unexplained delay of three days, raising doubts regarding the implication of the Petitioners. According to the Petitioners, continuation of the criminal proceedings in the absence of specific allegations would amount to an abuse of the process of law and cause them unnecessary harassment.

7. Having considered the submissions advanced on behalf of the Petitioners and perused the material placed on record, this Court is of the opinion that the grounds urged by the Petitioners pertain to disputed questions of fact, including the nature and extent of their involvement in the alleged incident. Whether the allegations against the Petitioners are ultimately established, whether the role attributed to them is sufficient to attract the offences alleged, and whether they have been falsely implicated are all matters which require appreciation of evidence and are to be examined by the Trial Court during the course of trial. These issues cannot be adjudicated in proceedings seeking quashing of the FIR.

8. Moreover, the Apex Court in **State of Odisha v. Pratima Mohanty**,



(2022) 16 SCC 703, has reiterated the settled principles governing the exercise of the power to quash criminal proceedings. The relevant observations are reproduced hereunder:

“8.2. It is trite that the power of quashing should be exercised sparingly and with circumspection and in rare cases. As per the settled proposition of law while examining an FIR/complaint quashing of which is sought, the court cannot embark upon any enquiry as to the reliability or genuineness of allegations made in the FIR/complaint. Quashing of a complaint/FIR should be an exception rather than any ordinary rule. Normally the criminal proceedings should not be quashed in exercise of powers under Section 482CrPC when after a thorough investigation the charge-sheet has been filed. At the stage of discharge and/or considering the application under Section 482CrPC the courts are not required to go into the merits of the allegations and/or evidence in detail as if conducting the mini-trial. As held by this Court the powers under Section 482CrPC are very wide, but conferment of wide power requires the court to be more cautious. It casts an onerous and more diligent duty on the Court.”

9. This Court, therefore, finds no ground to exercise its extraordinary jurisdiction under Section 528 of the BNSS. The present petition is accordingly dismissed. Needless to observe that any observations made herein are only for the purpose of deciding the present petition and shall not influence the proceedings before the learned Trial Court.

10. Accordingly, finding no merit in the present petition, the same is dismissed. Pending application(s), if any, also stand disposed of.



2026:DHC:6204



11. The order be uploaded on the website forthwith.

**MADHU JAIN
(JUDGE)**

JULY 31, 2026/b/rm