

**IN THE COURT OF SHRI PUNEET PAHWA,  
ADDITIONAL SESSIONS JUDGE/SPECIAL JUDGE (NDPS),  
NORTH EAST DISTRICT, KARKARDOOMA COURTS,  
DELHI**

**CRIMINAL REVISION NO. 117/2025  
CNR NO. DLNE01-003490-2025**

**JAVED MALIK  
S/o Sh. Kallu Khan  
R/o H. No. 700/45,  
Gali No.24, Vijay Park,  
Maujpur, Delhi-110053**

**..... Petitioner**

**Vs.**

**(1). TALAT JAMAL  
S/o. Sh. Shakil Ahmad  
R/o. H. No. 2117,  
Shiv Dayalpura, Bulandshehar Road,  
Hapur, U.P.  
(Presently at New Jafrabad, Delhi-110053)**

**(2). IRFAN  
S/o. Sh. Riyaz  
R/o. H. No. B-1892,  
Madhu Kunj Gali, Subhash Mohalla,  
North Ghonda, Delhi-110053.**

**(3). TANVEER  
S/o. Sh. Yaseen  
R/o. H. No. B-69,  
New Jafrabad, Delhi-110053.**

**.....Respondents**

**Date of Institution of Revision Petition** : 20.11.2025  
**Date of Completion of Arguments** : 30.03.2026  
**Date of Order** : 30.03.2026

### ORDER

1. This revision is directed against the impugned order dated 27.10.2025, passed by Sh. Pankaj Rai, Ld. JMFC, North-East District, Karkardooma Courts, Delhi, in CT case bearing No.675/2025, vide which, the Ld. JMFC was pleased to dispose of the complaint made by the complainant (petitioner herein).
2. Briefly stating that the complainant (petitioner herein) filed a complaint u/s. 223 BNSS r/w. Sec. 175(3) BNSS for seeking direction for registration of FIR against the accused persons (respondents herein). It was alleged by the the complainant (petitioner herein) in his complaint that accused persons (respondents herein) had sold him a second hand Creta car bearing registration No. DL-5CW-3596. Later on, he came to know from the police officials that the said car was stolen one. It was further alleged that the police officials of PS Bhajanpura, Delhi took away the mobile phone (iphone-15) of the complainant and the said Creta car from his house. Thereafter, the complainant (petitioner herein) had made

calls to the accused many times, but, they started misbehaving with him.

3. It was further alleged that the police officials of PS Bhajanpura, called the complainant and made him to sit in the police stations for hours, due to which, the complainant had suffered a lot of mental and physical agony and trauma, as the accused persons were also regularly threatening him to falsely implicate him in a false case. Thereafter, seeing no other way, the complainant had made a written complaint to the DCP, North-East and to SHO PS Bhajanpura, Delhi as well as to the higher authorities, but no action was taken on his complaint. Therefore, finding no option, the complainant had made a complaint u/s. 223 BNSS r/w. Sec. 175(3) BNSS before the concerned court of Ld. JMFC for seeking direction for registration of FIR against the accused persons (respondents herein).

4. The Ld. Trial directed the SHO as well as the DCP concerned to file the status report/action taken report in terms of Sec. 173 BNSS. The status report was filed on behalf of SI Pratap Singh, forwarded by the SHO/Bhajanpura as well as Add. DCP-I, North East Distt., mentioning that in the present case, the jurisdiction falls in

the East District and accordingly, the said complaint was transferred to the DCP, East District. Accordingly, the Ld. Trial Court was pleased to dispose of the said complaint.

5. Feeling aggrieved with the said order dated 27.10.2025, the complainant (petitioner herein) has filed the present revision petition.
6. Notice was issued to the SHO PS Bhajanpura, to file the status report regarding the complaint of the complainant/petitioner. Since, the respondents were never summoned in the complaint case, before the Ld. Trial Court and the impugned order was not passed on merits and the complaint was simply disposed of, summoning of the respondents in the present revision petition was dispensed with.
7. I have heard Ld. Counsel for the petitioner and Ld. Addl. PP for the State.
8. Ld. Counsel for the petitioner herein has submitted that the alleged offence had taken place within the jurisdiction of PS Bhajanpura and the jurisdiction of PS Bhajanpura is only made out and the Ld. Trial Court, vide it's impugned order dated 27.10.2025 disposed of the complaint on the ground that the complaint of the

complainant was transferred to the East District, without any basis, therefore, the impugned order is liable to be set aside and prayed that the impugned order may be set aside.

9. Ld. Addl. PP for the State has also submitted that transferring of complaint to East District was not proper, as it was done without any enquiry on the part of the IO to that effect.
10. As per the reply filed by SI Pratap, during enquiry and as per the statement of the complainant, the present case pertains to North-East District. However, enquiry is still going on.
11. I have given thoughtful consideration to the submissions made by the parties and perused the record.
12. Perusal of the record reveals that the Ld. Trial Court, after perusing the status report filed on behalf of SI Pratap Singh, forwarded by the SHO/Bhajanpura as well as Addl. DCP-I, North East Distt., passed the impugned order dated 27.10.2025, vide which, the Ld. Trial Court pleased to dispose of the complaint made by the complainant u/s. 175(3) BNSS observing that the jurisdiction falls in the East District.

13. The scope of revision is to set right a patent defect or an error of jurisdiction or law or the perversity which has crept in the proceeding; (**State of Rajasthan Vs. Fatehkaran Mehdu, AIR 2017 SC 796**). The revisional court is empowered to call for and examine the records of the Trial court for the purposes of satisfying itself as to the legality and regularity of any proceedings or order made in a case. Object of this provision is to set right a patent defect or an error of jurisdiction or law; (**Amit Kapoor Vs. Ramesh Chander, (2012) 9 SCC 460**).
14. From the record, it is clear that on the application u/s. 175(3) BNSS filed on behalf of the petitioner herein, status report was called by the Ld. JMFC. The report was received to the effect that complaint of the complainant was transferred to the DCP, East, on the basis of which, the complaint U/s. 223 BNSS as well as application U/s. 175(3) BNSS was disposed of. However, when notice was issued to the IO/SHO PS Bhajanpura in the present revision petition, the report has been received to the effect that enquiry is still under going, however, prima facie jurisdiction of North-East district has been made out from the complaint of the complainant. IO/SHO have failed to show as to on what basis, complaint of the complainant

was transferred to the East District.

15. Now, since when the IO has admitted that the jurisdiction of North-East district is made out in the present case, the impugned order dated 27.10.2025 is not sustainable. No doubt, it is the discretion of the Ld. Trial Court to see whether grounds for allowing the application u/s. 175(3) BNSS is made out or not, however, since, the complaint U/s. 223 BNSS/application U/s. 175(3) BNSS was disposed of without going into the merits of the case, in the interest of justice, the petitioner deserves an opportunity to be heard afresh on merits of the application.
16. Thus, without going into the merits of the case, this court is satisfied that for the reasons mentioned above, this is a fit case to exercise it's revisonal powers in the interest of justice, as Ld. Trial Court has erred in disposing of the complaint U/s. 223 BNSS/application U/s. 175(3) BNSS filed by the petitioner without going into the merits of the case.
17. Accordingly, the impugned order dated 27.10.2025 is set aside and the matter is remanded back to the Ld. Trial Court with direction to the Ld. Trail Court to consider the complaint U/s. 223 BNSS/application U/s.

175(3) BNSS afresh, as per law. Accordingly, the complaint U/s. 223 BNSS/application U/s. 175(3) BNSS filed by the petitioner before the Ld. JMFC stand revived and restored to its original number. The petitioner is directed to appear before the Ld. Trial Court on 16.04.2026 for further proceedings.

18. In view of the above, the present revision petition filed on behalf of the petitioner stands disposed of.

19. Record of Ld. Trial Court is also ordered to be returned with attested copy of this order.

20. Revision file be consigned to Record Room, after due compliance.

**Announced in the open court  
on 30<sup>th</sup> day of March 2026**

**(PUNEET PAHWA)  
Addl. Sessions Judge/Special Judge (NDPS)  
North-East District Karkardooma Courts, Delhi**