

IN THE COURT OF MS.VANDANA
ADDL. SESSIONS JUDGE-02, NORTH DISTRICT
ROHINI COURTS : DELHI

In the matter of:

Criminal Revision No. 175/2025

Geetanjali Arora,
W/o Sumit Arora,
D/o late Sh. R.C. Khanna,
R/o H. No. 66, Hakikat Nagar,
Near Delhi University, GTB Nagar,
New Delhi-110009.

..... Revisionist

VERSUS

1. State

Through SHO
P.S. Mukherjee Nagar,

2. Sumit Arora

S/o Ramesh Chander Arora

3. Adarsh Bala Arora

W/o Ramesh Chander Arora

4. Yatin Arora

S/o Ramesh Chander Arora

5. Hina Minocha

W/o Yatin Arora

All respondents no. 2 to 5 are R/o
H.No. 404, Neel Gagan Apartments,
A.P. Sen Road, Charbagh District,
Lucknow

..... Respondents

Date of Institution	: 08.08.2025
Conclusion of arguments	: 30.03.2026
Date of Order	: 04.04.2026

ORDER:

1. The present revision petition has been filed against the impugned order dated 20.09.2021 for non summoning of the

accused persons namely Yatin Arora an Hina Minocha @ Arora, who were kept in column no. 12 of the chargesheet.

2. The above said revision has been filed alongwith an application for condonation of delay

Order on Application for condonation of delay:

3. Through this application, it has been stated that the IO opted the accused persons to be kept in column no. 12 and 12 A despite clear and specific allegations of molestation against accused Yatin Arora apart from other allegations covered under section 498-A, 406 / 34 IPC and clear allegations of beating by the Hina Minocha @ Arora apart from other allegations covered under section 498A, 406/34 IPC. It has been further stated that the complainant / applicant hence filed a protest petition labelling various deficiency in the investigation including the aforesaid deliberate non-inclusion of accused persons in the array of accused persons.

4. It has been further stated that the protest petition was dismissed by the Hon'ble Court vide order dated 18.12.2023 on the ground that summoning order dated 20.09.2021 was not challenged by the complainant / applicant. Further, it has been stated that the complainant / applicant aggrieved by the order dated 18.12.2023 preferred a revision petition which was dismissed vide order dated 20.09.2021.

5. On the basis of the above, prayer is made to allow the application and condone the delay of 1325 days in filing the criminal revision petition.

6. The above said application was strongly opposed by the Ld. Counsel for the respondent arguing that in the present

case the delay is not of few days rather it is 1325 days. It was further argued that according to the settled law the delay for each day is to be explained and the revisionist has failed to give any satisfactory and cogent explanation for the said long delay. Hence, it is prayed that the above said application be dismissed.

7. Arguments heard. Record perused.

8. The present application has been filed under section 5 of Limitation Act, the said provision lays down that if the applicant demonstrates sufficient cause for delay, then, the said application can be allowed. Sufficient cause is based on specific facts with respect to explanation and clarifying a reason for the delay.

9. The maxim which is relevant here is "*Vigilantibus non dormientibus jura subveniunt*" which means law aids the vigilant and not asleep. Law will not assist those who are careless of their right.

10. In **Ramlal Vs. Rewa Coal Fields Ltd. AIR 1962, Supreme Court 361**, the supreme court clarified that for condonation of delay, an applicant is not required to explain the conduct throughout the entire limitation period, but, **must show sufficient cause for the delay that occurred after the limitation period expired.**

11. Now coming to the present application, it is an admitted case of the revisionist that the summoning order which was passed by the Ld. Trial Court on 20.09.2021 was not challenged by the revisionist. It has been further admitted that the protest petition was dismissed by the Ld. Trial court vide order dated 18.12.2023. Thereafter, one revision petition was

filed against the said order which was dismissed vide order dated 21.07.2025.

12. It is relevant to mention here that through the present revision petition, the order which has been challenged is the summoning order which was passed on 20.09.2021, therefore, the clock will start running since 21.09.2021 for the computation of the limitation period. Even if, in the larger interest of justice, the limitation period is counted from the date of dismissal of the protest petition, then also, the present revision petition is highly time barred as the protest petition was dismissed on 18.12.2023 and present revision petition was filed on 06.08.2025.

13. Since, the law discussed herein above leaves no iota of doubt that in the absence of any sufficient cause, delay cannot be condoned and in the case in hand, the revisionist has failed to show any sufficient cause for the long delay of 1325 days. Accordingly, the application filed by the revisionist U/s. 5 of the [Indian Limitation Act](#) for seeking condonation of delay is hereby dismissed being devoid of merit. As a consequence thereof, the present revision is dismissed, being hopelessly time barred.

14. TCR be sent back to court concerned along with copy of present order.

15. Revision file be consigned to record room after due compliance.

**Pronounced in open
Court on 04.04.2026**

**(VANDANA)
ADDITIONAL SESSIONS JUDGE-02,
NORTH DISTRICT,
ROHINI COURTS, DELHI**