

03.06.2025

Ld. Regular Addl. PP for State is on leave today.

Fresh revision petition received by way of assignment through e-filing. It be checked and registered.

Present : Ld. Counsel Sh. Ayan Sharma for revisionist.
Sh. Ravi Kumar, Ld. Subst. Addl. PP for State/ R-1.

The present revision petition has been filed challenging the impugned order dt. 23.05.2025 vide which an application u/s. 156(3) Cr.P.C. filed alongwith the complaint was allowed and FIR has been directed to be registered against the revisionists i.e. Shyam Sunder and Manoj Kumar under the relevant provisions of law.

Uncertified copy of impugned order is already on record.

It is stated by Ld. Counsel that directions to register an FIR have already been given and as this present revision petition has been preferred against the impugned order, till then, operation of impugned order may be stayed and the parties may be allowed to argue on the merits at length before the court.

Impugned order is perused.

It is further submitted by the Ld. Counsel that the respondent no.2 and 3 lacks the locus-standi to file the present

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complaint against revisionist no.1 and 2. It is further submitted by Id. Counsel that the Ld. JMFC has failed to appreciate that respondent no.2 and 3 are seeking the registration of FIR against a government department and the impugned order has been passed in contravention of legal mandate of Section 197 Cr.P.C as the FIR has been passed with the prior permission of the respective department. It is also submitted that Ld. JMFC has failed to duly consider the action taken report submitted by the concerned police officer which unequivocally stated that no cognizable offence is made out on the allegations contained in the complaint.

Considering the circumstances and in the interest of justice, the operation of the impugned order dt. 23.05.2025 qua registration of FIR, is stayed till NDOH only.

Issue notice to the respondents on filing of PF/RC on seeking advance steps for NDOH.

TCR be summoned.

Be listed on reply/ arguments on 21.07.2025.

Copy of order be given dasti.

Copy of order be sent to SHO concerned for necessary intimation.

**(MUNEESH GARG)
ASJ-03 (NORTH-WEST)
ROHINI COURTS
DELHI/03.06.2025**