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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ W.P.(CRL) 2014/2024

SHRI NISHANT KAPOORPetitioner

Through: Mr. Sharad Malhotra, Adv. with
Petitioner/Applicant in person.

versus

STATE OF NCT DELHI & ORS.Respondents

Through: None.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE AMIT SHARMA

ORDER

% **30.10.2025**

1. This hearing has been done through hybrid mode.

CRL.M.A.31146/2024 (for revival of petition) in W.P.(CRL) 2014/2024

2. This is an application filed on behalf of the Petitioner/Applicant seeking revival of the present petition in terms of the order passed by this Court on 1st August, 2024. In the said order, the following directions were issued by the Court:

“20. The Court accordingly directs that Ms. Harpreet Kaur shall return to India with the child by 10th September, 2024. If there is failure to return to India by the said date, the Petitioner is free to use the present order and communicate the same to the U.S. Embassy in India as also for notify the Immigration Authority in the U.S regarding the conduct of Ms. Harpreet Kaur.

21. The original passport of the child has been produced before the Court and has been seen by the Court.



22. *The Petitioner is given liberty to approach this Court if the wife and the son do not return to India before the aforesaid date.*

23. *The petition is disposed of in the aforesaid terms.*

24. *Pending applications, if any, also stand disposed of accordingly.”*

3. As per the above order, Ms. Harpreet Kaur, the wife of the Petitioner was to come back to India with their child by 10th September, 2024. In the event that she did not return, the Petitioner was given an opportunity to approach the Court for revival of the petition.

4. Accordingly the present application has been filed by the Petitioner, stating that the undertaking given by his wife, Ms. Harpreet Kaur has been violated since she has not yet returned to India and continues to live in the USA.

5. In view thereof, the present application is allowed. The petition is revived and restored to its original position.

6. CM is accordingly disposed of.

W.P.(CRL) 2014/2024

7. List before the Roster Bench on 6th November, 2025.

PRATHIBA M. SINGH, J.

AMIT SHARMA, J.

OCTOBER 30, 2025/dk/ck