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

+ **CRL.M.C. 5459/2025**

DEEPALI AGGARWAL

.....Petitioner

Through: Ms. Swadha Gupta and Ms. Snigdha
Jha, Advocates

versus

ROOPA GUPTA AND ANR.

.....Respondents

Through: None

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

% **11.08.2025**

CRL.M.A. 23413/2025 (exemption)

1. Allowed, subject to all just exceptions.

CRL.M.C. 5459/2025 & CRL.M.A. 23414/2025 (stay)

2. The petitioner has assailed order dated 31.01.2025 passed by the Court of Sessions in criminal revision petition. It appears that vide order dated 17.12.2022 the learned trial magistrate summoned the present petitioner to face trial for offence under Section 406 IPC, which order was challenged by the present petitioner by way of criminal revision petition and the said criminal revision petition was dismissed by learned Additional Sessions Judge vide order dated 31.01.2025.

3. *Prima facie*, the present petition is barred by virtue of Section 438(3) BNSS (Section 397(3) CrPC). For, what is prohibited by law cannot be given backdoor entry by invoking inherent powers.



4. Learned counsel for petitioner seeks adjournment to examine this issue.
5. Relist on 05.12.2025. It is made clear that there is no stay on trial court proceedings.

GIRISH KATHPALIA, J

AUGUST 11, 2025/as