



\$~51

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

+ **CRL.M.C. 5588/2025**

ARJUN SIKRI & ANR.

.....Petitioners

Through: Mr. Gobind Malhotra, Mr. Gurpreet
Singh and Mr. Mayur Saifi, Advs.

versus

STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Ms. Kiran Bairwa, APP.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

%

17.11.2025

CRL.M.A. 33958/2025(for Restoration)

1. Application under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been filed on behalf of Petitioner for setting aside Order dated 28.10.2025 passed by this Court, vide which, Petition bearing CRL.M.C. 5588/2025 was dismissed in default and for non-prosecution.
2. Learned APP for the State appears on advance Notice.
3. Learned counsel for the Petitioner submits that on 28.10.2025, he was present in the Court, but because his matter was called in another Court, he had to go there and was unable to appear in this Court. Prayer is therefore, made that impugned Order dated 28.10.2025 be set aside and Petition bearing CRL.M.C. 5588/2025 be restored.
4. Record shows that steps were taken for service of Respondent No.2 till 28.10.2025.
5. Considering the totality of the circumstances, the Application is allowed, Order dated 28.10.2025 is set aside and Petition bearing CRL.M.C.



5588/2025 is restored to its original number, subject to deposit of cost of Rs.10,000/- with the Delhi High Court Advocates' Welfare Fund.

CRL.M.C. 5588/2025

6. On filing PF within three days, Notice be issued to Respondent No.2 by all permissible modes, returnable for 10.02.2026, failing which, the Petition shall be dismissed in default for non-prosecution.

7. List on 10.02.2026.

NEENA BANSAL KRISHNA, J.

NOVEMBER 17, 2025/R