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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ CRL.M.C. 5714/2025

ASHIMA PALAHA BABBARPetitioner

Through: Mr. Sandeep Sharma,
Senior Advocate with Mr.
Shakti Vardhan, Mr. Amit
Choudhary, Ms. Amiy
Shukla and Ms. Kanchan
Semwal, Advs.

versus

STATE OF NCT OF DELHI & ANR.Respondents

Through: Mr. Sunil Kumar Gautam,
APP for the State

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

% **20.08.2025**

**CRL.M.A. 24491/2025 (exemption from filing typed copies of
dim annexures P-7 and P-8)**

1. Exemption allowed, subject to all just exceptions.
2. The application stands disposed of.

**CRL.M.C. 5714/2025 & CRL.M.A. 24489/2025 (stay),
CRL.M.A. 24490/2025 (permission for filing certified copies of
annexures)**

3. By the present petition, the petitioner challenges the order on summoning dated 04.07.2025, passed by the learned Judicial Magistrate, First Class-07, New Delhi District, Patiala House Courts, in a complaint being Ct Cases 2233/2022, filed by Respondent No. 2, alleging commission of offences under



Sections 191/193/199/209 of the Indian Penal Code, 1860 (IPC) against the petitioner.

4. The petitioner and Respondent No. 2 are married to each other and seem to be embroiled in matrimonial acrimony, which has led them to filing of different proceedings against each other.

5. Respondent No. 2 alleged that fabricated documents were filed by the petitioner before various forums.

6. In terms of Section 195 of the Code of Criminal Procedure, 1973, no Court can take cognizance for offences under Sections 193/199/209 of the IPC, except on a complaint in writing of the concerned Court.

7. *Prima facie*, a private complaint for such offences is not maintainable.

8. Issue notice.

9. The learned Additional Public Prosecutor for the State accepts notice.

10. Notice be served to Respondent No. 2 through all permissible modes.

11. The learned Trial Court is directed not to proceed further with the complaint till the next date of hearing.

12. List on 13.11.2025.

AMIT MAHAJAN, J

AUGUST 20, 2025

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