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

+ **CRL.M.C. 84/2013 & CRL.M.A. 2201/2016**

SUNDER LAL

.....Petitioner

Through: Mr. Awijit Paliwal, Advocate
(through video conferencing).

versus

STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Sanjeev Sabharwal, APP for
State.

Mr. Shambhu Dutt Sharma,
Advocate.

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

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17.07.2026

1. It appears that both parties were embroiled in proceedings under Section 145 CrPC and the SDM decided in favour of the present respondent no.2, who is holding possession of the subject property till date. It is also the case that the SDM found no reason to seal the subject property. The said order of the SDM was upheld by the Court of Sessions, which order has been assailed here.
2. In the meanwhile, during pendency of this petition, the original petitioner followed by one of his LR passed away. Now the matter is at the stage of substituting the deceased LR of petitioner with his own LRs.
3. In response to a specific query, it is submitted by both sides that



neither side has approached the civil court for adjudication of their rival claims about title. Learned counsel for respondent no.2 submits that since respondent no.2 had no reason, he did not approach the civil court. Scope of proceedings under Section 145 CrPC is as regards any apprehension of breach of peace related to an immovable property. The alleged apprehension, if any, was prior to the year 2011, when the SDM decided the matter. Presently, there is nothing to support survival of these proceedings.

4. In the above backdrop, learned counsel for petitioner seeks adjournment to obtain instructions as to whether this petition has to be withdrawn or to be addressed on merits.

5. Relist on 02.09.2026 in Advance List.

GIRISH KATHPALIA, J

JULY 17, 2026/ry