

ITEM NO.40

COURT NO.1

SECTION II-D

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl.) No(s). 5298/2026

[Arising out of impugned judgment and order dated 13-02-2026 in WPCRL No. 326/2026 passed by the High Court of Delhi at New Delhi]

X

Petitioner(s)

VERSUS

THE STATE OF NCT OF DELHI & ANR.

Respondent(s)

Date : 02-04-2026 This petition was called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE JOYMALYA BAGCHI  
HON'BLE MR. JUSTICE VIPUL M. PANCHOLI

For Petitioner(s) : Mr. F. S. Chauhan, AOR

For Respondent(s) :

UPON hearing the counsel the Court made the following

O R D E R

1. The root cause of the last two rounds of litigation initiated by the petitioner before the Delhi High Court, lies in the orders dated 28.06.2025 and 15.11.2025 passed by the Regular Judicial Magistrate First Class/Judicial Magistrate First Class, East, Delhi in C.T. Case No. 9779/2024. The petitioner challenged those orders before the High Court in Criminal M.C. No. 446/2026 and Criminal M.A. No. 1785/2026 but the said petitions were withdrawn "with liberty to approach the appropriate forum(s) seeking the reliefs sought therein."

2. It appears to us that those orders should have been challenged

before the Sessions Court. However, the petitioner chose to approach the High Court through certain petitions, which came to be dismissed *vide* the impugned order. Accordingly, even the second round through a purported PIL has not been entertained.

3. In our considered opinion, the appropriate recourse for the petitioner would be to challenge the orders dated 28.06.2025 and 15.11.2025 before the appropriate forum. We are inclined to grant that liberty, and order accordingly.

4. It is clarified that if the petitioner files an appropriate petition challenging these orders, the Sessions Court shall, in the peculiar facts and circumstances of this case, condone the delay and hear the matter on merits after giving notice to the other party.

5. With liberty aforementioned, the petition stands disposed of.

6. Pending application(s), if any, shall stand closed.

(NITIN TALREJA)  
ASTT. REGISTRAR-cum-PS

(PREETHI T.C.)  
ASSISTANT REGISTRAR

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For Respondent(s) :

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2. It appears to us that those orders should have been challenged before the Sessions Court. However, the petitioner chose to

approach the High Court through certain petitions, which came to be dismissed *vide* the impugned order. Accordingly, even the second round through a purported PIL has not been entertained.

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