



\$~71

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

CNR No. DLHC010394632026

+ **CRL.M.C. 6203/2026**

M/S CONCEPT HORIZON INFRA PVT LTD Petitioner

Through: **Mr. Adit Pujari and Mr. Thakur Ankit Singh, Advocates.**

versus

STATE OF NCT OF DELHI AND ANR Respondents

Through: **Mr. Mukesh Kumar, APP for State. Mr. Asim, Mr. Aditya Varun and Mr. Raymon Singh, Advocates for respondent no.2. SI Praveen, PS EoW.**

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

% **24.08.2026**

1. By way of this petition, the petitioner seeks to challenge the order dated 01.07.2026 (hereinafter '***the impugned order***') passed by the Addl. Session Judge-02, Dwarka Courts, New Delhi (hereinafter '***the Revisional Court***').
2. During the course of hearing, the Court finds that the order of taking cognizance is 02.08.2024, which has been passed by the Chief Judicial Magistrate (CJM), South West, Dwarka (hereinafter '***the CJM***').
3. It is against the order dated 02.08.2024, the respondent no.2 i.e. the



accused had filed the revision petition, and, the Revisional Court had granted stay.

4. Thereafter, an application for vacation of stay was filed by the petitioner, which has been rejected by the Revisional Court *vide* the impugned order.

5. Various submissions have been made by learned counsel appearing for the parties.

6. The Court, however, finds that the order dated 02.08.2024, which is the subject matter of the revision petition is unsustainable in view of it being bereft of any reason. The order dated 02.08.2024 is extracted as under:

“Matter is at the stage of consideration.

Charge-sheet perused. Submissions of Ld. APP for the State heard. On the basis of material on record, there is material to show prima-facie commission of alleged offences by the accused. I take cognizance of offences under Sections 420/406/467/468/471/120B IPC.

Accused is stated to be on court bail.

IO submits that further investigation is being carried out in this matter and supplementary charge-sheet shall be filed w.r.t. the same.

Issue summons to the accused through IO/SHO for NDOH.

Put up for further proceedings on 18.10.2024.”

7. Learned counsel appearing for respondent no.2-accused submits that it is the aforesaid order which is under challenge in revision.

8. Having considered the overall controversy, the Court finds that the order of taking cognizance and summoning dated 02.08.2024 deserves to be set aside, and is, accordingly, set aside.

9. Consequently, the revision petition pending before the Revisional Court against the said order will also have to be disposed of.

10. The parties, however, are relegated to the Court of the CJM, where, the parties will have to appear before the CJM who shall pass a fresh order



on the basis of the available material and in accordance with law.

11. All rights and contentions of the parties are left open.
12. The concerned Court shall decide the issue of taking cognizance with due expedition.
13. With the aforesaid observations, the petition stands disposed of.

PURUSHAINdra KUMAR KAURAV, J

AUGUST 24, 2026

aks