



\$~47

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

+ **CRL.M.C. 648/2025 & CRL.M.A. 3093/2025**

RAVINDER SINGH

.....Petitioner

Through: Mr. Vimal Tyagi, Mr. Balaji Pathak
and Mr. Tripurari Jha, Advocates.

versus

NITISHA KATARIA & ANR.

.....Respondents

Through:

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

%

31.01.2025

CRL.M.A. 3094/2025

Exemption granted, subject to just exceptions.

The application stands disposed-of.

CRL.M.C. 648/2025

By way of the present petition filed under section 528 of the Bharatiya Nagarik Suraksha Sanhita 2023, the petitioner seeks setting-aside of order dated 28.11.2024, whereby the learned Family Court has dismissed an application made by the petitioner seeking recall of non-bailable warrants issued against him *vide* order dated 11.11.2024.

2. Orders dated 11.11.2024 and 28.11.2024 show that NBWs were issued in Ex. No.228/2023 and the recall application was dismissed since the petitioner (judgment-debtor in those proceedings) had failed to comply with orders dated 08.07.2024 and 02.09.2024 and had also failed to appear before the court.
3. Upon being queried, Mr. Vimal Tyagi, learned counsel appearing for the petitioner informs the court that the arrears of maintenance



payable by the petitioner to respondents Nos. 1 and 2 (wife and minor son of the petitioner) is in the sum of Rs. 1,20,000/- based on the direction requiring him to pay maintenance at the rate of Rs. 10,000/- per month.

4. A perusal of the orders appended to the petition show a clear sense of defiance on the part of the petitioner in relation to the orders and directions issued by the learned Family Court.
5. In the above circumstances, this court was not inclined to entertain the present petition. Learned counsel for the petitioner has however beseeched the court that the NBWs issued against the petitioner be set-aside; and that he would undertake to pay the entire arrears to the respondents in the sum of Rs. 1, 20,000/- by or before the next date of hearing before the learned Family Court, *i.e.* 24.04.2025.
6. In view of the above, as a measure of abundant indulgence, and without condoning the petitioner's conduct in the proceedings before the learned Family Court, orders dated 11.11.2024 and 28.11.2024 are set-aside, thereby cancelling the NBWs issued against the petitioner, with a clear direction that *if the entire arrears* are not cleared as undertaken above, adverse consequences would follow against the petitioner.
7. The petition is disposed-of in the above terms, at the stage of issuance of notice itself.
8. Pending applications, if any, stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

JANUARY 31, 2025/ss