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

+ **CRL.REV.P. 78/2025**

SH. ASHISH BHAWAKAR

.....Petitioner

Through: Mr. Lokesh Kr. Mishra and Mr. Sumit
Kumar, Advocates.

versus

SMT. POONAM BHAWAKAR

.....Respondent

Through: Mr. Ridam Tyagi, Advocate.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

03.03.2025

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CRL.M.A. 6700/2025

By way of the present application filed under section 528 of the Bharatiya Nagarik Suraksha Sanhita 2023, the petitioner/applicant seeks advancement of the date of hearing in the matter, which is otherwise posted on 26.05.2025.

2. For the reasons stated in the application, which is duly supported by affidavit, the application is allowed.
3. The criminal revision petition is taken-up for hearing today.

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4. Mr. Lokesh Kumar Mishra, learned counsel appearing on behalf of the petitioner submits, that the present petition was initially filed as a CM(M) *i.e.*, a civil miscellaneous main petition under Article 227 of the Constitution of India. However, *vide* order dated 18.02.2025, a



Co-ordinate Bench of Ravinder Dudeja, J. while hearing the CM (M) Main directed the Registry to register the petition as a criminal revision petition in view the prayer made in the petition.

5. Thereafter, the matter came to be listed before a different Co-ordinate Bench of Amit Sharma, J. on 20.02.2025, whereupon the court observed that since a previous petition bearing CRL REV.P.(MAT) No. 38/2025 was heard by this Bench, the matter be placed before the undersigned.
6. It is in this manner that the present petition has come to be listed before this court.
7. A perusal of order dated 27.01.2025 passed by the undersigned in CRL REV.P.(MAT) No. 38/2025 is appended as Annexure P-8 to the present petition. The relevant portion of the said order reads as under :

“After making some submissions in the matter, Mr. Lokesh Kumar Mishra, learned counsel appearing for the petitioner seeks leave to withdraw the present petition, with liberty to pursue any other remedy as may be available to the petitioner, in accordance with law.

The petition accordingly stands disposed-of as withdrawn; with liberty as prayed-for; without making any observations on the merits of the matter.”

(emphasis supplied)

8. In the above manner, the previous petition was disposed-of as withdrawn, with liberty to pursue *any other remedy* as may be available to the petitioner, in accordance with law.
9. Upon being queried, Mr. Mishra fairly submits that the prayer made by way of the present petition is *exactly the same* as was made in CRL REV.P.(MAT) No. 38/2025.



10. Since the petitioner has already withdrawn a previous criminal revision petition that was filed seeking the *exact same relief* with liberty to pursue *any other remedy* as may be available to him in accordance with law, this court sees no reason why the present petition should be entertained.
11. The present petition is accordingly dismissed.
12. Pending applications, if any, stand disposed-of.
13. The date of 26.05.2025 given earlier, stands cancelled.

ANUP JAIRAM BHAMBHANI, J

MARCH 3, 2025

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