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

+ CRL.M.C. 4089/2023&CRL.M.A. 15354/2023, CRL.M.A.
23880/2024

KRISHAN DEV BHARAL

.....Petitioner

Through: Mr. S.K. Bhardwaj, Ms. Shreyangana
Bag and Ms. Rimpay Rohilla, Advs.

versus

STATE & ANR.

.....Respondents

Through: Mr. Sanjeev Sabharwal, APP for the
State and Ms. Mansi Sharma, Adv.
SI Manisha, PS Hauz Khas.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

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15.04.2025

1. This hearing has been done through hybrid mode.
2. The present petition under Section 482 of the CrPC has been filed seeks the following prayers: -

“i) Call for the record of Case No.17/SDM/DC/97 from the Office of Learned S.D.M., Hauz Khas, New Delhi, in Case No.17/SDM/DC/97;

(ii) Set-aside the impugned sealing and attachment order Dt.19.02.1998 passed by the Learned S.D.M. in Case No.17/SDM/DC/97, in view of dismissal of R.F.A. No.951 of 2018 filed by the legal heirs of late Smt. Prakash Sood;

(iii) Pass an order for de-sealing of the said Property i.e. Property No.1 03D, adjacent to the property of Smt. Nirmala Devi being Property No.1 03C, Gautam Nagar, New Delhi CRL.M.C.-4089/2023 Pass any such other or further orders as this Hon'ble Court may deem fit and proper on the facts and in the circumstances of the Petitioner and against the Respondents. case, in favour of the Petitioner and against the Respondents.”



3. On 10.01.2025, this Court had passed the following order: -

“2. It is pointed out that the petitioner’s property was attached vide order dated 19.02.1998 by the learned SDM, Hauz Khas, New Delhi in Case No. 17/SDM/DC/97.

3. It is pointed out that the suit filed by the complainant in respect of the said property was dismissed vide decree dated 04.07.2018 by the learned Additional District Judge, Tis Hazari in Suit No. 612646/2016 and an appeal against the said decree was also dismissed by a Coordinate Bench of this Court vide order dated 06.01.2023 in RFA 951/2018.

4. Learned counsel appearing on behalf of the petitioner submits that the aforesaid fact has been brought to the notice of the learned SDM by way of an application, however, no order has been passed by him in this regard.

5. Let the SDM, Hauz Khas, New Delhi, remain present in the Court on the next date of hearing.”

4. Dr. Mukesh Kumar, SDM, Hauz Khas, New Delhi, is present in the Court and submits that the application on behalf of the petitioner shall be decided in accordance with law within a period of 4 weeks from today and the decision shall be communicated to the petitioner.

5. Learned counsel appearing on behalf of the petitioner submits that, in view of the above, he does not wish to press this petition, at this stage, and seeks leave to withdraw the same with liberty to initiate appropriate proceedings in accordance with law depending on the order passed by the learned SDM on the application on behalf of the petitioner.

6. Leave and liberty granted.

7. The present petition is dismissed as withdrawn and disposed of with the aforesaid directions.

8. Pending applications, if any, also stand disposed of accordingly.

9. Order be uploaded on the website of this Court *forthwith*.



10. Copy of the order be sent to the learned SDM, Hauz Khas, New Delhi, for necessary information and compliance.

AMIT SHARMA, J

APRIL 15, 2025/kr

[Click here to check corrigendum, if any](#)