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

+ **TR.P.(CRL.) 28/2025 & CRL.M.A. 12310/2025**

MADHURI KUMAR

.....Petitioner

Through: Mr. Ravinder Singh, Ms. Raveesha
Gupta, Mr. Ritvik Bhardwaj,
Advocates

versus

KARAN KAPOOR

.....Respondent

Through: Mr. Prakash Sinha, Mr. Rakesh
Mishra, Advocates

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

24.04.2025

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1. The present petition under Sections 447 and 448 read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeks transfer of CRL.REV.P. 61/2025 titled as *Madhuri Kumar v. Karan Kapoor* from the Court of ASJ-05, South-East, Saket Courts to the Court of ASJ- 02, South-East, Saket Courts, where CRL.REV.P. 116/2025 titled as *Vipul Arora v. Karan Kapoor* is pending consideration.

2. Considering the fact that transfer of the case is sought with the same Sessions Division, the Court has queried from the counsel as to why the Petitioner has approached this Court rather than approaching the Principal District and Sessions Judge, Saket Courts. In response, the counsel draws the attention of this Court to order dated 16th April, 2025 in TR.P (Crl) No. 19/2025 filed by the Petitioner before the Principal District and Sessions



Judge, South-East, Saket Courts wherein the proceedings are being adjourned as the Presiding Officer is not available.

3. In such circumstances, since on multiple dates, the said proceedings did not culminate, the Petitioner has invoked the jurisdiction of this Court.

4. Heard.

5. It is noted that the aforesaid two revision petitions, i.e. CRL.REV.P. 61/2025 and CRL.REV.P. 116/2025 arise from the same summoning order dated 16th August, 2024 passed by the Court of JMFC,-04, South-East, Saket Courts, New Delhi in CT Case No. 12204/2019 titled **Karan Kapoor v. Manu Kumar & Ors.**

6. In light of the above fact in CRL.REV.P. 61/2025, on 04th March, 2025, ASJ-05 passed the following order:

“Fresh Vakalatnama filed for respondent/ complainant. Be taken on record.

As per report, respondent Karan Kapoor remained unserved with notice as the given address was found locked for around 2-3 years.

Ld. Counsel for respondent submits that he is representing respondent Karan Kapoor before Trial Court too. He submits that respondent Karan Kapoor has changed his address and he will furnish the proof of fresh address of the respondent on next date. Ld. Counsel for respondent submits that he came to know of present revision petition on 11/02/2025 during proceedings conducted before the Trial Court.

Ld. Counsel for revisionist submits that co-accused Vipul Arora has separately preferred revision petition against impugned order dated 16/08/2024 of Ld. JMFC-04, South-East, and the same has been assigned to Ld. ASJ-02, South-East, for disposal.

The parties may separately approach Ld. Principal District & Sessions Judge, South-East District, for clubbing of both the revision petition to avoid multiplicity of proceedings and variation in decision in the cognate revision petitions.

Ld. Counsel for respondent seeks time to file reply to revision petition. Respondent to file reply and supply advance copy thereof to Ld. Counsel for revisionist.

On request of respondent, put up for reply and arguments on revision petition on 14/05/2025.”

[Emphasis Supplied]



7. Since both the revision petitions arise from the same summoning order, although at the instance of two separate revision petition as, in the opinion of the Court, the same must be heard by the same Court, in order to avoid multiplicity of decision.
8. In light of the above, the present petition is disposed of with a direction that CRL.REV.P. 116/2025 titled as ***Viphul Arora v. Karan Kapoor*** shall be transferred to the Court of Court of ASJ-05, South-East, Saket Courts, where CRL.REV.P. 61/2025 titled as ***Madhuri Kumar v. Karan Kapoor***, filed prior in time is pending.
9. With the above directions, the present petition is disposed of along with pending application(s).
10. Copy of the order be sent to the concerned Principal District and Sessions Judge, for necessary information and compliance.

SANJEEV NARULA, J

APRIL 24, 2025/ab