



\$~24

*

IN THE HIGH COURT OF DELHI AT NEW DELHI

+

CRL.M.C. 2775/2025 & CRL.M.A. 12434/2025

CHAND KUMAR PRASAD

.....Petitioner

Through: Mr. Hawan Pratap Singh,
Adv.

versus

THE COMMISSIONER OF POLICE DELHI

& ORS.

.....Respondents

Through: Ms. Richa Dhawan, APP
for the State with SI Ravi
Dahiya, Special Cell,
Sadiq Nagar.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

%

21.05.2025

1. By the present petition, the petitioner prays as under :

- a. *To kindly allow the present petition and to set aside the dismissal order dated – 24.08.2023 passed by the Hon'ble Principal District & Sessions Judge, Patiala House Court, New Delhi in Criminal Revision no. 598/2023 titled as Chand Kumar Prasad vs. The Commissioner of Police and Ors;*
- b. *And to pass an order directing to restore the criminal complaint bearing (old case) CC No 140/1/2014 which was renumbered as (new case) CC No-33779/2016 titled as Chand Kumar Prasad vs. The Commissioner of Police and Ors. for conducting trial of the case which was dismissed for non-prosecution on 15.03.2018;*
- c. *Pass any other order which this Hon'ble deem fit and proper in the interest of justice.*

2. Pursuant to the order dated 25.04.2025 passed by this

This is a digitally signed Court, the petitioner has filed an affidavit explaining the reasons

The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.

The Order is downloaded from the DHC Server on 24/05/2025 at 15:25:54



for not approaching the Court on time.

3. The petitioner stated that prior to the year 2023, he was undergoing a prolonged phase of serious health complications which affected his ability to engage in regular affairs. He stated that he has been suffering from multiple debilitating medical disorders.

4. He further claims that he has been facing financial hardship and his mother's medical condition had also not been fit at that point in time. He relies upon certain documents in relation to the medical condition of his mother.

5. The dispute relates to the complaint filed by the petitioner against the Commissioner of Police at that point in time, in the year 2014, being CC No. 33779/2016 titled as *Chand Kumar Prasad v. The Commissioner of Police and Ors.*

6. The complaint was dismissed by the learned Chief Metropolitan Magistrate by the order dated 15.03.2018, noting that none has been appearing for the complainant (petitioner herein) from the last three dates.

7. The order dated 15.03.2018 was challenged by the petitioner by filing a revision petition being CRL REV No.598/2023, before the learned Principal District & Sessions Judge (**PDSJ**).

8. The learned PDSJ, by the order dated 24.08.2023 (hereafter '**impugned order**'), dismissed the revision petition, while noting that the revision petition was filed with an inordinate delay of more than five years, and found no substance in the application filed by the petitioner under Section 5 of the

Limitation Act, 1963.

This is a digitally signed order.

The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.

The Order is downloaded from the DHC Server on 24/05/2025 at 15:25:54



9. The present petition has also been filed after more than 600 days of passing of the impugned order. Even if it is to be accepted that the petitioner was suffering from a medical condition that prevented him from filing a revision petition before the learned PDSJ within the time provided, no reasons have been given as to why the petitioner took more than 600 days to approach this Court.

10. Concededly, the petitioner was represented by an Advocate before the learned PDSJ when the impugned order was passed on 24.08.2023.

11. The learned counsel for the petitioner in the present petition claims that he has been doing the case *pro bono*.

12. In such circumstances, this Court fails to understand why the petition before this Court, could not be filed within a reasonable period of time.

13. The complaint against the Commissioner of Police was filed way back in the year 2014. The complaint has also not been put on record.

14. At this stage, after more than a decade and especially when the petitioner has not been diligent in pursuing his remedies, this Court does not consider it apposite to entertain the present petition.

15. The present petition is, therefore, dismissed. Pending application(s) also stand disposed of.

AMIT MAHAJAN, J

MAY 21, 2025 / 'KDK'

This is a digitally signed order.

The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.

The Order is downloaded from the DHC Server on 24/05/2025 at 15:25:54