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

+ CRL.REV.P. 186/2025

CHINKI YADAV

.....Petitioner

Through: Mr. Rajbir Singh Sagar, Advocate.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Sanjeev Sabharwal, APP for the  
State with Ms. Mansi Sharma,  
Advocate.  
SI Ashish Sharma, PS Nand Nagri.

**CORAM:**

**HON'BLE MR. JUSTICE AMIT SHARMA**

**ORDER**

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**08.05.2025**

1. This hearing has been done through hybrid mode.

**CRL.M.A. 14342/2025 (Exemption)**

2. Allowed, subject to all just exceptions. Application is disposed of.

**CRL.M.A. 14343/2025 (delay)**

3. The present application under Section 5 of the Limitation Act read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (Section 482 of the Cr.P.C.) seeks condonation of delay of 55 days in filing the captioned petition.

4. In view of the averments made in the application, the same is allowed and disposed of accordingly. Delay of 55 days in filing the captioned petition is hereby condoned.

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**CRL.M.A. 14344/2025 (additional documents)**

5. The present application under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (Section 482 of the CrPC) seeks following prayers:-

- “a) Allow the present application and be pleased to take the additional documents, Annexure - P7 (Copy of e-Chittha dated: 11.09.2024 of P.S. Bharat Nagar, North West District, Delhi) and Annexure - P8 (Copy of order sheet dated 29.10.2024 of Hon’ble High Court of Delhi at New Delhi showing presence of Revisionist in this Hon’ ble Court), on record in the interest of justice.
- b) pass any further order(s) as be deemed just and proper to meet the ends of justice.”

6. In view of the averments made in the application, the same is allowed and disposed of accordingly. Documents annexed with the present application are hereby taken on record.

**CRL.REV.P.186/2025**

7. The present petition under Section 438 read with Section 442 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (Section 397/401 of the Cr.P.C.) seeks following prayers:-

- “a) Call for the record of the above case.
- b) Set aside the impugned order date 29.10.2024 passed by Ld. ASJ-01 & Spl. Judge (POCSO), Distt. Shahdara, Karkardooma Courts, Delhi, in SC No.455/22 in FIR No.178/2022, PS- Nand Nagri case Titled “State Vs. Aman”.
- c) Pass any Order or Orders, which this Hon’ble Court may deem fit and proper in the facts and circumstances of the case.”

8. The present petitioner was the Investigating Officer in case FIR No. 178/2022, under Section 354/354(B) of the IPC and Section 8 of the Protection of Children from Sexual Offences Act, 2012 (for short, ‘POCSO Act’) registered at P.S. Nand Nagri.

9. A perusal of the impugned order dated 29.10.2024 shows that the

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petitioner was absent on the date of passing of the impugned order. It has been observed in the said order that the petitioner had been absent on previous dates as well and had sent a request for personal exemption which had been allowed. It is further noted that on 11.09.2024, a notice under Sections 60/122 of the Delhi Police Act, 1978 was issued to the petitioner for 29.10.2024. On account of non-presence on the said date, the learned Trial Court proceeded to hold the petitioner guilty under Sections 60/122 of the Delhi Police Act and convicted the petitioner for the same by imposing a fine for Rs. 100/- which was to be deducted from the salary of the present petitioner.

10. Learned counsel appearing on behalf of the petitioner submits that on the said date, *i.e.*, 29.10.2024, the petitioner was not present before the learned Trial Court on account of the fact that she was appearing before the High Court of Delhi in **CRL.A. 942/2023** and **CRL.M.C. 8097/2024**. The order sheets with respect to the same have been annexed with the present petition. It is further submitted that on the previous date, *i.e.*, 11.09.2024 she could not appear on account of the fact that she was directed to be present in the arrangement duty from 8 A.M. to 8 P.M. at the Nirankari Ground, Burari, Delhi. An e-chart showing the arrangement duty on 11.09.2024 from 8 A.M. to 8 P.M. has been annexed with the present petition.

11. Petitioner is present in person in Court today and submits that she tenders an unconditional apology and further submits that she will be careful in future.

12. In view of the submissions made and averments in the present petition, the present petition is allowed. The impugned order dated 29.10.2025 is hereby set aside. The petitioner is cautioned to be careful in future.

13. The present petition is disposed of.

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14. Pending application(s), if any, also stand disposed of.
15. Order be uploaded on the website of this Court *forthwith*.

**AMIT SHARMA, J**

**MAY 08, 2025/sn/sc**

*Click here to check corrigendum, if any*

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