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

+ CRL.M.C. 3763/2025, CRL.M.A. 16523-16524/2025

BHAWNA

.....Petitioner

Through: Mr. Ravi Chawla, Mr. Himanshu
Sood, Ms. A. Chawla, Advocates

versus

STATE NCT OF DELHI AND ORS

.....Respondents

Through: Mr. Hemant Mehla, APP for State
with SI Yogesh Sharma, PS Subhash
Place

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

26.05.2025

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1. Through the present petition, the Petitioner assails the order dated 9th May, 2025 passed by the Judicial Magistrate First Class, Mahila Court, North-West, Rohini Courts, Delhi in Complaint Case No. 7973/2025 titled **“Bhawna v. Vishal Dhingra & Ors”**. The Petitioner also seeks direction for expediting adjudication of the interim application filed by her under Section 23 of the Protection of Women from Domestic Violence Act, 2005¹.
2. The Petitioner is a mother of a minor child of about 11 years, who has filed an application under Section 23 of the DV Act, seeking *inter alia* visitation rights to meet the minor child. It is urged that on 09th May, 2025, the Presiding Officer of the Mahila Court was on leave, and as a result her interim application could not be taken up for hearing, and the matter was



adjourned to 14th July, 2025.

3. Counsel for the Petitioner submits that there is an extreme emergency in the present matter, as the minor child is currently in the custody of his father and his family members, whereas the mother's right of visitation have not been adjudicated and the matter has been posted after 2 months.

4. The Court has considered the aforementioned submissions. At the outset, it is noted the instant petition was filed nearly more than 10 days after passing of the impugned order on 09th May, 2025. Moreover, on a pointed query of this Court, counsel for the Petitioner confirms that before approaching this Court, no application was not moved before the Mahila Court, seeking early hearing of the interim application.

5. Thus, in the opinion of the Court, the Petitioner should, at the first instance, explain the urgency of the situation before the concerned Court, rather than invoking the inherent powers of this Court under Section 528 of the BNSS, seeking directions for expeditious hearing of the interim application.

6. However, the Court is mindful of the fact that the Petitioner is a mother who wishes to meet her minor child of 11 years. Therefore, it is considered appropriate to allow the Petitioner to immediately file an application for early hearing of the interim application under Section 23 of the DV Act, expressing urgency for the interim reliefs, in accordance with law.

7. In case such an application is filed within a period of four days from today, the Trial Court is requested to take up the matter on urgent basis and pass appropriate orders thereon, after hearing both the parties, in accordance

¹ "DV Act"



with law.

8. With the above directions, the petition is disposed of along with pending applications.

9. It is made clear that the Court has not commented on the merits of the petition. All rights and contentions of the parties are left open.

SANJEEV NARULA, J

MAY 26, 2025/ab