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

+ CRL.REV.P.(MAT.) 285/2025, CRL.M.A.18224/2025 (stay),
CRL.M.A.18225/2025 (condonation of delay)

SHYAMVEER SINGHPetitioner
Through: Ms. Shilpa Sharma and Mr. Narender
Singh, Advocates with Petitioner.

versus

RENURespondent
Through: None

CORAM:
HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **01.07.2025**

CRL.M.A. 18223/2025 (Exemption)

1. Exemption allowed, subject to all just exceptions.
2. The Application stands disposed of.

CRL.REV.P.(MAT.) 285/2025

3. Criminal Revision Petition under Section 397/401 read with Section 482 of the Code of Criminal Procedure, 1973/Section 438/442 read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, has been filed on behalf of the Petitioner to challenge the impugned Order dated 19.10.2015 of the learned Metropolitan Magistrate, Mahila Courts, South District, Saket, New Delhi in Ct. Case No. 468569/2016 (new) *vide* which the interim maintenance in the sum of Rs.1,500/- per month to the child of the parties, was granted to the Petitioner. This Order had been upheld by the learned ASJ *vide* Order dated 27.11.2015.



4. As per the submissions of the Petitioner, the Execution Petition *vide* Ex. Crl. No. 174/2019 has been filed by the Respondent in which the next date is fixed for 08.04.2025.

5. **The second Execution Petition** bearing Ex. Crl. No. 211/2021 had been filed on 17.11.2021.

6. The Petitioner has been sent to judicial custody for a period of one month on 19.11.2022. He was again sent to judicial custody in the aforesaid Execution Petitions on 25.01.2025 and has been released on 27.02.2025.

7. Hence, the present Revision Petition has been filed to challenge the interim maintenance Order under Section 12 of the Protection of Women from Domestic Violence Act, 2005. The Revision Petition is supported by Crl.M.A. No. 18225/2025 **under Section 5 Limitation Act**, for condonation of delay of 3375 days in filing the present Revision Petition. It is submitted that the Revision Petition against the Order, should have been filed on or before 26.02.2016 but because the Applicant is suffering from serious medical illness/70% permanent disability and had not been properly guided by Legal Aid Counsel provided by the Legal Aid Cell, Saket Court, he was unable to file the Revision Petition on time.

8. It is further submitted by learned counsel for the Petitioner that the Petitioner had approached the Delhi High Court Legal Services Committee wherein an opinion was given that it was not a fit case for filing the Revision Petition. It is submitted that considering the physical disability of the Petitioner and the poor legal advice, the delay may be condoned.

9. **Submissions heard and the record perused.**

10. Pertinently, the Order sought to be challenged is of 08.01.2016. As per the submissions of the learned counsel herself, this Order had sought to



be challenged in 2016 itself but the Delhi High Court Legal Services Committee, had found it to be not a fit case where Revision should be filed.

11. Furthermore, the two Execution Petitions have been filed against the Petitioner in which he had been appearing and had even been sentenced to Jail twice. Further, in the year 2022, the Appeals had been filed in the Divorce Petition wherein the Execution of the Order under the D.V. Act, had been stayed with the direction that no coercive steps be taken, which was vacated only in 2024.

12. From the submissions of the Petitioner, it is also evident that not only D.V. Act, but other litigation is also being pursued by the Petitioner. For him to claim that he has no financial support or assistance, is clearly not made out.

13. Considering these facts, it cannot be said that he had been handicapped in not getting proper Legal Advice or that he was unable to approach the Court, on account of the physical disability. There is no reason whatsoever disclosed in the Application for Condonation of Delay.

14. The Application bearing CRL.M.A.18225/2025 is dismissed and disposed of accordingly. Consequently, the Revision Petition is also dismissed and disposed of accordingly. Pending Application, if any, also stands disposed of.

NEENA BANSAL KRISHNA, J

JULY 1, 2025/RS