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

+ **W.P.(CRL) 2216/2025 & CRL.M.A. 20630/2025**

POONAM MALIK

.....Petitioner

Through: Mr. Ayush Jain, Mr. Tushar Thakur,
Ms. Yashovardhan Upadhyay and
Mr. Vishwas Verma, Advocates

versus

STATE NCT OF DELHI & ANR.

.....Respondents

Through: Ms. Rupali Bandhopadhyaya, ASC with
Mr. Abhijeet Kumar and Ms. Amisha
Gupta, Advocates for the State
Mr. Sunil Choudhary, Advocate for
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CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

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21.07.2025

1. Writ Petition under Article 226 of Constitution of India read with Section 528 of the Bhartiya Nagrik Suraksha Sanhita, 2023 has been filed on behalf of the Petitioner for issuance of directions to set aside the impugned Order dated 05.06.2025 on the ground that the matter in fact was to be taken up on 06.06.2025 but the record shows that it was taken up on 05.06.2025 and the attendance of the Complainant has also been marked even though the Petitioner/Complainant had not appeared.
2. The Record shows that the Complaint was taken on 05.06.2025 whereby the Notice was issued to the Respondent for appearance. Insofar as the grievance of the Complainant is concerned that the matter was taken up a day prior to the date given or that his attendance has been wrongly indicated,



he is at liberty to move an appropriate Application before the learned Trial Court.

3. It is submitted that similar Application had been filed before learned JMFC but the same had been disposed of *vide* Order dated 09.07.2025.

4. The perusal of Order shows that it was only a request for early hearing which was being insisted by the Complainant's Counsel, which had been denied on account of heavy pendency in the Court.

5. The Petitioner is at liberty to raise his contentions as agitated in the present Petition, before the learned Trial Court.

6. Accordingly, the Petition alongwith pending Application, stands disposed of.

NEENA BANSAL KRISHNA, J

JULY 21, 2025

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