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

+ CRL.M.C. 6979/2025, CRL.M.A. 29331/2025

M/S VED COMMUNICATION

.....Petitioner

Through: Ms. Rashi Bansal and Ms. Deepti
Thapa, Advocates.

versus

STATE THROUGH SHO & ANR.

.....Respondents

Through: Mr. Hemant Mehla, APP for State.
Mr. Amit Bajaj, Advocate for R-2.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

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26.09.2025

1. The present petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeks expunging of adverse remarks made against the Petitioner in order dated 3rd September, 2025 by the ASJ, who is presently hearing an appeal preferred by the Petitioner against the order of conviction passed by the Trial Court.

2. The impugned order reads as follows:

“On the LDOH, this Court had issued NBWs against the appellant. The said NBWs have been received back un-served with the report that despite best efforts, she could not be traced. However, the sole proprietor of appellant has appeared before this Court today.

The Ld. Counsel for appellant has moved an application seeking cancellation of NBWs issued against the sole proprietor of appellant on 04.06.2025. As per the averments mentioned in the application, the appellant/applicant could not furnish her personal bond/surety bond due to ill health of her son. The application is accompanied with certain medical documents.

Perusal of the record reflects that the medical documents, which are furnished today pertains to the year 2024 and there is no document to show that the son of the appellant was admitted in the hospital or was receiving any treatment after 08.05.2025, i.e, the date when the Id. Predecessor of this Court had directed the appellant to furnish her personal bond/ surety bond.



It is submitted by Ld. Counsel for the appellant that the appellant shall furnish the latest medical records to substantiate the averments made in the present application. Let the same be filed on or before the NDOH. In the meanwhile, the NBWs issued against her shall remain stayed.

The appellant is ready to furnish her bail bond/surety bond in compliance of order dated 08.05.2025 before the Ld. Trial Court. Let the same be done within three days from today.

It is further submitted by the appellant that she has already deposited a sum of Rs. 7,20,000/-, in compliance of previous order dated 04.06.2025 before the Ld. Trial Court.

TCR has been received. Perusal of the TCR does not reflect as to whether the said amount was deposited in the form of DD.

Let a report be called from the concerned Ahlmad of the Ld. Trial Court regarding the deposit of the 20% of the compensation amount, in compliance of order dated 04.06.2025.

The copy of this order be sent to Ld. Trial Court for records and compliance.

*Now to come up for further proceedings on **08.10.2025**.*

(Atul Ahlawat)
ASJ/Spl. Judge, NDPS/N Delhi
03.09.2025

At 12:30 PM

Present: *Sh. Hritvik Kapoor, Ld. proxy counsel for appellant in person along with the appellant (Ms. Dakshata Rajesh Singh, sole proprietor of the appellant.)*

It is submitted by Ld. Proxy for the appellant, that due to some miscommunication, the appellant could not furnish the DDR in the name of Ld. Principal District & Sessions Judge, PHC, before the Ld. Trial Court, in compliance of order dated 08.05.2025 and 04.06.2025.

The appellant has been making submissions before this Court, without there being any basis for the said submissions. There has been an attempt on part of the appellant to mislead this Court and time and again the appellant has not complied with the orders passed by this Court. The submissions were made at the time of first call that the DD has been submitted before the Ld. Trial Court, however the TCR did not reflect the said depositing before the Ld. Trial Court. The submissions have now come after this Court had called for the report from the Ld. Trial Court qua the depositing of the 20% of the fine amount.

The conduct of the appellant is highly depreciable and since she has time and again tried to mislead this Court, one opportunity is granted to the appellant to submit the DDR before the Ld. Trial Court, within three days from today, subject to a cost of Rs. 5000/-, to be deposited before New Delhi



Bar Association. The appellant is directed to file the receipt of the cost before the Ld. Trial Court.

Re-list for purpose fixed on dated already fixed on i.e. 08.10.2025.”

3. The Petitioner contends that the above remarks are factually incorrect, unsupported by record, and have prejudiced her dignity and legal standing. It is submitted that all directions, including furnishing of the bail bond, deposit of DD towards compensation, and payment of the imposed cost of INR 5,000/-, have been duly complied with. Additionally, it is submitted that that an associate of the Petitioner’s counsel had met with a road accident on 24th August, 2025, which impacted their ability to appear and file documents in time. Further, confusion arose regarding the format of the DD, which also contributed to the delay. These bona fide circumstances were mentioned before the ASJ on 03rd September, 2025.

4. The remarks in question appear to have been made by the ASJ in the context of the conduct of proceedings on the date of the hearing, particularly with regard to compliance of previous orders. Such observations, though strongly worded, are confined to that particular stage of the proceedings and do not amount to a conclusive finding on the Petitioner’s overall credibility or merits of the appeal.

5. In view of the limited and contextual nature of the impugned remarks, this Court finds no ground to exercise its inherent powers under Section 528 BNSS. The petition is accordingly dismissed.

6. The petition is disposed of.

SANJEEV NARULA, J

SEPTEMBER 26, 2025

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