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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 7534/2025, CRL.M.A. 31530/2025 & CRL.M.A.
31531/2025

RAVI SHIKHER

.....Petitioner

Through: Ms. Jyoti Batra, Advocate.

versus

STATE OF NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Mukesh Kumar, APP for the
State along with Insp. Prateek Saxena,
PS Naraina.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

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27.10.2025

1. The present petition under Section 482 of the Code of Criminal Procedure, 1973 (pari materia Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023) assails the order dated 10th September, 2025 passed by the Sessions Court. By the said impugned order, the Sessions Court has stayed the operation of the order dated 04th September, 2025 passed by the Trial Court in “*Ravi Shikher v. HC Vijay Pal No. 1840/W bearing No. 7368/2025*”, whereby directions were issued to register an FIR against Respondent No. 2. The relevant portion of the impugned order reads as follows:

Present revision is u/s 438 BNSS, 2023 against the order dated 04.09.2025 whereby the Ld. JMFC has ordered for registration of FIR against the petitioner on the complaint case filed by R2.

It is submitted by the Counsel for petitioner the Ld. JMFC has



failed to consider the fact that the petitioner being on duty seized an unclaimed vehicle and deposited the same in the maalkhana. That R2 was unable to prove his ownership by showing any valid document. It is submitted that Ld. JMFC has ordered for registration of the FIR against the petitioner who is a serving police officer on the basis of some video footage, relied upon by R2, without even verifying its authenticity and correct source. It is prayed that the order dated 04.09.2025 be stayed till the disposal of the present petition.

Heard Ld. Counsel for the petitioner and perused the revision file as well as the impugned order dated 04.09.2025.

The operation of the order dated 04.09.2025 is stayed till the NDOH.

Let TCR be called two days prior to the NDOH.

Issue notice of the revision petition to respondent no. 2 on filing of PF/RC and through all electronic modes for the NDOH.

Put up for further proceedings on 14.10.2025.

Copy of order be given dasti.

2. It is evident from the above extract that the Sessions Court has passed only an interim order and has yet to adjudicate the revision on merits. The rights and contentions of both parties, therefore, remain open.
3. Nonetheless, counsel for the Petitioner contends that the Sessions Court granted the stay mechanically and without assigning adequate reasons, and therefore, the impugned order be set aside.
4. The Court finds no merit in the contentions urged. As is evident from the extract of the impugned order, the Sessions Court granted the interim stay on a *prima facie* assessment of Respondent No. 2's contentions namely: that the vehicle was seized in the course of duty, the Petitioner had not demonstrated ownership of the said vehicle, and that the authenticity of the video footage relied upon by the Petitioner required verification. Since the Sessions Court has not yet formed a final opinion, the stay of operation of the order dated 4th September, 2025 was to prevent the revision petition from being rendered infructuous. In these circumstances, no interference is called



for.

5. All rights and contentions of the parties are left open. It is clarified that the Petitioner shall be at liberty to urge all permissible grounds at the stage of final hearing of the revision before the Sessions Court.

6. With the above directions, the petition is disposed of along with pending application(s).

SANJEEV NARULA, J

OCTOBER 27, 2025/MK