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

+ CRL.M.C. 8203/2025, CRL.M.A. 34255-34257/2025

MAHAVIR SINGH

.....Petitioner

Through: Mr. Satendra Yadav and Mr. Gaurav
Kumar Chaurasia, Advocates.

versus

THE STATE (GNCT OF DELHI)

.....Respondent

Through: Mr. Hitesh Vali, APP for State with
SI Shankar, PS-Dabri.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

% **19.11.2025**

1. The petition is directed against the order dated 15th November, 2025, passed by the ASJ-04, South West District, Dwarka Courts, New Delhi. By the impugned order, the Revisional Court upheld the order dated 19th September, 2025, passed by the JMFC-02, Dwarka Courts, New Delhi, whereby the defence evidence of the accused was closed.

2. On 19th September, 2025, the Petitioner was duly examined as a defence witness (DW1), discharged, and defence evidence was accordingly closed. In the revision petition, it was argued that the defence evidence was closed without any reasons; and that the evidence sought to be produced was essential for a just adjudication of the case. Considering these submissions, the Sessions Court made the following observations:

“5. The trial court record reveals that on 19.09.2025, petitioner examined himself as DW-1 and accordingly, DE was closed. The record further reveals that petitioner has nowhere requested that he wanted to



lead further defence evidence and even no application was moved by the petitioner before the Ld. Trial Court to summon any other witness on behalf of the petitioner. Petitioner has also not mentioned any name of the witness which he requires to summon before the Ld. Trial Court. Hence, in these circumstances, Ld. Trial Court has rightly closed the defence evidence of the petitioner.

6. *It is pertinent to mention here that revision jurisdiction is normally to be exercised in exceptional cases where there is a glaring defect in procedure or there is manifest error of law and consequently there has been a flagrant miscarriage of justice. The order passed by Ld. MM is a speaking order. If impugned order is analyzed in light of scope of section 397/399 Cr.P.C, no wrong, illegality, impropriety or irregularity is noticed therein.*

7. *Accordingly, in view of the above observations, the present revision petition is dismissed. There is no illegality and infirmity in framing charge by the Ld. Trial Court. The petitioner is directed to appear before the Ld. Trial Court on the date already fixed i.e 19.11.2025. Ld. Trial Court is directed to proceed further, as per law. Copy of this order along with the TCR be sent to the Ld. Trial Court.*

8. *Revision file be consigned to Record Room after due compliance.”*

3. Aggrieved by the aforementioned revisional order, the Petitioner has filed this petition invoking the inherent jurisdiction of this Court under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023¹ (corresponding to Section 482 of the Code of Criminal Procedure, 1973²).

4. On a pointed query of the Court regarding whether any application was filed before the Trial Court subsequent to the order dated 19th September, 2025, counsel for the Petitioner acknowledges that no such application was filed. However, he submits that the Trial Court was unwilling to consider any such request without payment of cost. In any event, the observations of the Sessions Court are germane. The record does not indicate that the Petitioner ever requested permission to lead further defence

¹ “BNSS”

² “CrPC”



evidence. No such application was filed, and no witness was named for summoning. In these circumstances, the view taken by the Trial Court, as affirmed by the Revisional Court, is in consonance with law. This Court, while exercising jurisdiction under Section 528 BNSS, cannot permit the Petitioner to seek a second revision in the guise of the present petition against the revisional order. Challenge to order dated 15th November, 2025, is dismissed.

5. Counsel for the Petitioner also submits that the Petitioner's right to make oral submissions has been closed by order dated 31st October, 2025. The said order reads as follows:

“Fresh vakalatnama filed on behalf of accused Ram Ujagar. Taken on record.

Accused submits that he also preferred revision and same is pending disposal for 15.11.2025. he further submits that his counsel is not available as he is in some other court. Last and final opportunity was given to accused Mahavir to tender his arguments which he has failed to exercise today. Therefore, right to final arguments is closed qua the accused Mahavir.

Query was raised from accused Mahavir regarding the status of the revision and whether there is any stay to which he states that he is not aware.

Ld. Counsel for accused Ram Ujagar has placed on record order dated 08.10.2025 passed by Ld. ASJ, Dwarka Court wherein the revision petition preferred by the accused Ram Ujagar have been dismissed.

*Part final arguments heard on behalf of accused Ram Ujagar.
Put up for further arguments on 19.11.2025.”*

6. In the opinion of this Court, since the Petitioner was pursuing his legal remedies, though unsuccessfully, in the peculiar facts of the case, he may be permitted to tender his oral submissions before the Trial Court. As the matter is already listed for further arguments, the Trial Court is requested to accommodate the Petitioner's submissions and afford him an opportunity to address oral arguments.



7. Disposed of along with pending applications.

SANJEEV NARULA, J

NOVEMBER 19, 2025

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