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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 8442/2025 & CRL.M.As. 35263/2025, 35264/2025
RAJVEER SHARMAPetitioner

Through: Mr. Neeraj Bhardwaj, Advocate.

versus

ARUN SHUKLARespondent
Through: None.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

% **ORDER**
27.11.2025

1. The present petition assails the order dated 15th October, 2025, whereby the Court of JMFC (NI Act) directed registration of an FIR against the Petitioner on account of Petitioner's conduct in the proceedings as well as him being declared as Proclaimed Absconder.
2. The impugned order reveals that the Petitioner has repeatedly sought exemptions by filing documents which were found to be misleading. The Trial Court also recorded that despite multiple opportunities, the Petitioner failed to appear and cooperate. This, conduct was noted in approximately ten previous hearings referred to in the impugned order.
3. Further, the Petitioner's challenge to the earlier order dated 13th January, 2025, directing registration of FIR, was dismissed by the Sessions Court on 22nd April, 2025.
4. Counsel for the Petitioner submits that the Petitioner joined the



proceedings on 15th October, 2025 through video conferencing on account of medical incapacity and relies on medical records annexed to the exemption application, reflecting advice of four weeks' bed rest from AIIMS.

5. He submits that there was no intent to avoid appearance. It is further submitted that the previously imposed cost shall be deposited and that the Petitioner will appear in person before the Trial Court.

6. The Court notes that the Trial Court was constrained to pass the impugned order in view of the Petitioner's previous conduct, including persistent non-appearance despite repeated opportunities, non-compliance with the direction to deposit cost, failure to furnish cogent medical records while seeking repeated exemptions, and the fact that he had already been declared a proclaimed absconder. The Court does not find any infirmity with the view taken by the Trial Court. Nonetheless, considering counsel's undertaking to deposit costs and willingness to pay additional cost for the delay caused, a lenient view is taken. It is clarified that any future default in appearance without wholly genuine cause shall entitle the Trial Court to proceed strictly in accordance with law.

7. Accordingly, the directions issued in the impugned order for registration of the FIR, are set aside, subject to the following conditions:

- (i) The Petitioner shall deposit the previous cost of INR 5,000/- and an additional cost of INR 10,000/- to the Respondent.
- (ii) The Petitioner shall file an affidavit specifying his present address, which shall be duly verified by the Trial Court. In the event of an adverse verification report, the Trial Court shall be free to pass appropriate orders.
- (iii) The Petitioner shall appear before the Trial Court in person on the next date of hearing.



(iv) The Petitioner shall furnish before the Trial Court the medical records annexed with the present application. The Trial Court shall verify the same, and if found not genuine, shall be at liberty to initiate appropriate proceedings.

(v) The Petitioner shall attend proceedings regularly and conduct himself respectfully. Any exemption from physical appearance granted by the Trial Court shall be strictly subject to compliance with the applicable video conferencing rules.

(vi) Petitioner shall not cause any delay in Trial Court proceedings.

8. With the above directions, the present petition is disposed of along with pending applications.

SANJEEV NARULA, J

NOVEMBER 27, 2025

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