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

+ CRL.REV.P.(MAT.) 518/2025

SH HIMANSHU MITTAL

.....Petitioner

Through: Mr. Shubham Aggarwal & Ms. Neha
Singhal, Advocates.

versus

SMT NANCY MITTAL & ANR.

.....Respondents

Through: None

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **05.12.2025**

CRL.M.A. 36386/2025 (restoration of the present Revision Petition)

1. Application under Section 482 of the Code of Criminal Procedure, 1973 read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, has been filed on behalf of the Petitioner for recall of the Order dated 27.11.2025 in CRL.REV.P.(MAT.) 518/2025 where the Revision Petition challenging the Order under Section 125 Cr.P.C., had been filed but was withdrawn under the misconception of law in regard to the maintainability of the Revision Petition.
2. Reliance is placed on the Judgment of the Division Bench of this Court in *Manish Aggarwal vs. Seema Aggarwal*, 2012 SCC OnLine Del 4816 wherein it was observed that the Orders made under Chapter IX of Cr.P.C., are amenable to the Revision and not to Appeal. Though, the Petitioner may be right in saying that the withdrawal has been done erroneously but this Court has no power to recall its earlier Order and



therefore, the Application is disposed of with liberty to the Petitioner to challenge the Order dated 27.11.2025, in accordance with law.

NEENA BANSAL KRISHNA, J

DECEMBER 5, 2025/RS