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

+ **W.P.(CRL) 3980/2025, CRL.M.A. 35835/2025 (stay)**

KAMLA DEVI DALAL & ANR.

.....Petitioners

Through: Mr. Prithvi Yadav, Adv., Mr. Gaurav Lomes, Adv., Mr. Prateek Yadav, Adv.

versus

JYOTI MALIK

.....Respondent

Through: Mr. Tushar Rohmetra, Advocate.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

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02.12.2025

CRL.M.A. 35836/2025 (Exemption)

1. Exemption allowed, subject to all just exceptions.
2. The Application stands disposed of.

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3. Petition under Article 226/227 of the Constitution of India, has been filed on behalf of the Petitioners, to challenge the Order dated 17.10.2025 of the learned JMFC-1, Patiala House Courts in Criminal Complaint No. 1418/2020 whereby the Application filed on behalf of the Complainant for seeking permission to record her pre-charge evidence through Video-Conferencing, has been allowed.
4. Learned counsel for the Petitioners, has challenged the Impugned Order dated 17.10.2025 essentially on the ground that there are multiple



Complaints, which have been filed against the Petitioner/Accused by the Complainant, who was sitting in Italy and is harassing the Petitioners. It is submitted that this Application for permitting her to record evidence through Video-Conferencing, has been allowed by the learned JMFC, without giving a prior Notice to the Petitioners. It is, therefore, submitted that there is violation of principles of natural justice and therefore, the Impugned Order dated 17.10.2025, is liable to be set-aside.

5. Submissions heard and the record perused.

6. As per the submissions made by the Petitioners themselves, the Complainant is based in Italy. The Video-Conferencing Rules have been designed only to address these situations and to facilitate and expedite the procedures, before the Court of Law and to ensure that there is no unwarranted delay in the conduct of the trial.

7. On a specific query, learned counsel for the Petitioners, has not been able to give even a single cogent reason as to how he has been prejudiced by the said Impugned Order except his insistence that the prior Notice should have been given. He has further claimed that the pre-charge evidence through Video-Conferencing, would prejudice his right to observe the demeanour of the witness. This cannot be a ground. The Video-Conferencing Rules have been enacted and their validity upheld by the Hon'ble Supreme Court of India having due regard to these aspects. There is no ground for challenge to the Impugned Order dated 17.10.2025 permitting the pre-charge evidence, to be recorded through Video-Conferencing.

8. The Petition is dismissed and disposed of accordingly. The pending Application(s), if any, also stands disposed of. In case, the Petitioners have any subsequent cogent difficulty in cross-examination of witness through



Video-Conferencing, they are at liberty to move an appropriate Application before the learned Trial Court.

NEENA BANSAL KRISHNA, J

DECEMBER 2, 2025/RS