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

+ CRL.M.C. 8813/2025, CRL.M.A. 36760/2025

CRL.M.A. 36761/2025, CRL.M.A. 36762/2025

SHAILENDER

.....Petitioner

Through: Appearance not given.

versus

KAVITA@DEEPIKA & ANR.

.....Respondent

Through:

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **10.12.2025**

1. A Petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been filed on behalf of the Petitioner to challenge the Order dated 23.09.2025 passed by learned Judge, Family Court, North East, Karkardooma Courts, Delhi.
2. The perusal of the Order dated 23.09.2025 shows that while issuing Warrants of Attachment of the movable assets of the JD, it has been further directed that in default, Warrants of Arrest of the JD through DCP concerned be issued.
3. Learned counsel for the Respondent has appeared on advance Notice. The comprehensive Order of Warrant of Attachment and of Arrest could not have been passed by the learned Trial Court. Therefore, the impugned Order dated 23.09.2025 is modified to the extent that the Warrants of Arrest directed to be issued to JD is hereby recalled and the learned Trial Court shall follow due procedure for first making an endeavour to realize the fine



through Warrants of Attachment and in case the fine is not realized, then may follow the coercive procedure as prescribed in BNSS.

4. The Order dated 23.09.2025 is modified accordingly.
5. The Petition stands disposed of along with the pending Applications.

NEENA BANSAL KRISHNA, J

DECEMBER 10, 2025/va