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

+ CRL.M.C. 8885/2025 & CRL.M.A. 37065/2025

SHIVANI PURI

.....Petitioner

Through: Mr. Rahul Malik, Advocate.

versus

SUNEET PURI & ORS

.....Respondents

Through:

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

11.12.2025

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1. The Petitioner married Respondent No. 1 on 6th May, 2009 and has instituted proceedings under Section 12 of the Protection of Women from Domestic Violence Act, 2005¹, along with an application under Section 23 seeking interim reliefs. By order dated 3rd November, 2025, the Trial Court declined to grant ad interim relief and issued notice to Respondent No. 1

2. The Petitioner has already invoked the statutory appellate remedy under Section 29 DV Act by filing CA No. 500/2025. The Sessions Court has issued notice, and the appeal is stated to be listed on 27th January, 2026.

3. Mr. Rahul Malik, counsel for the Petitioner, submits that the Petitioner has been dispossessed from the shared household, has been left without financial support, and is presently responsible for two minor children in her custody. She was further compelled to leave her belongings

¹ "DV Act"



at the matrimonial home and the interim maintenance granted is inadequate. Thus, an urgent direction for residence and maintenance is sought.

4. The Court has considered the above submissions. The DV Act contains a complete statutory scheme for interim protection, including residence orders, monetary relief and related directions. That framework is designed to be worked first before the Magistrate under Sections 19, 20 and 23, and thereafter, if necessary, in appeal under Section 29. Since the Petitioner has already invoked the appellate jurisdiction, entertaining a parallel proceeding on the same interim reliefs would lead to overlapping scrutiny of the very same issues and may invite avoidable inconsistency in the exercise of judicial discretion. Equally, issuing notice in the present proceedings and entering upon an assessment of contested facts touching residence and maintenance would, in substance, convert this Court into a first-instance forum over matters that are squarely within the remit of the Trial Court, subject to appeal.

5. In this background, Mr. Malik submits that the Petitioner would be satisfied if the Trial Court is directed to decide the interim application expeditiously.

6. The Court also notes the element of immediacy that often accompanies proceedings under the DV Act. The record indicates that the Petitioner's interim application is listed before the Trial Court on 3rd January, 2026, for appearance/completion of pleadings. Accordingly, while declining to entertain the petition on merits, the Trial Court is requested to take up the Petitioner's pending application under Section 23 on the date already fixed, and endeavour to decide it expeditiously. If, for reasons of docket or pleadings, the application cannot be finally decided on that date,



the Trial Court shall endeavour to conclude the same at the earliest possible date thereafter, bearing in mind the nature of relief sought and the object of the DV Act.

7. All rights and contentions of the parties are left open. Nothing stated herein shall be construed as an expression of opinion on merits.

8. The petition is disposed of in the above terms. Pending application(s), if any, also stand disposed of.

SANJEEV NARULA, J

DECEMBER 11, 2025/MK