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

+ CRL.M.C. 8997/2025

AMIT ARORA

.....Petitioner

Through: Mr. Sanjeev Sagar, Sr. Adv. with Mr.  
Arvind Pandey, Adv.

versus

AMIT DHALL & ORS.

.....Respondents

Through: Appearance not given.

**CORAM:**

**HON'BLE MR. JUSTICE VIKAS MAHAJAN**

**ORDER**

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**16.12.2025**

**CRL.M.A. 37603/2025 (exemption)**

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

**CRL.M.C. 8997/2025**

3. The present petition has been filed assailing the impugned order dated 07.07.2023 passed by the learned Metropolitan Magistrate-01 (West) Tis Hazari, Delhi whereby the complaint filed by the petitioner under Section 200 CrPC was dismissed on the ground that the petitioner/complainant is not interested in pursuing the case.
4. The CRL. REV. No. 545/2023 preferred by the petitioner against the aforesaid order of the learned Metropolitan Magistrate dated 07.07.2023 was also dismissed by the learned Additional Sessions Judge-05, Tis Hazari



Courts, Delhi affirming the order of the learned Metropolitan Magistrate.

5. Mr. Sanjeev Sagar, learned senior counsel appearing on behalf of petitioner submits that the petitioner had filed an application under Section 156(3) CrPC. alongwith complaint under Section 200 CrPC.

6. He contends that the application of the petitioner under Section 156(3) was dismissed *vide* order dated 24.03.2022 and the petitioner had preferred Criminal Revision against the said order in June, 2022 within the period of limitation.

7. He submits that since the said revision petition was pending, therefore, an adjournment was sought by the petitioner in the complaint under section 200 CrPC on *bona fide* belief that the petitioner might succeed in the revision preferred against the dismissal of his application under Section 156(3) CrPC.

8. He submits that when the learned Metropolitan Magistrate had dismissed the complaint under Section 200 Cr.P.C. *vide* order dated 07.07.2023, the learned proxy counsel was present on behalf of the petitioner.

9. He submits that the petitioner was diligently pursuing his remedy is evident from the fact that the criminal revision against the order of dismissal of his application under Section 156(3) CrPC was preferred within the period of limitation.

10. Likewise, criminal revision against the dismissal of complaint under Section 200 CrPC *vide* impugned order dated 07.07.2023 was also preferred by the petitioner on 06.10.2023 i.e. within the period of limitation of 90 days.

11. He contends that the non-appearance of the petitioner or his counsel



on three occasions as noted in the impugned order is not deliberate but for the reasons as articulated hereinabove.

12. He further contends that the petitioner may be put to terms and granted one last opportunity to lead Pre-Summoning Evidence (PSE).

13. Having regard to the submissions made by Mr. Sagar, and the fact that the proxy counsel had appeared on the day when the complaint of the petitioner was dismissed by the learned Metropolitan Magistrate, as well as, considering that the petitioner has been diligent in filing the two criminal revisions against the orders of the Metropolitan Magistrate, this Court is of the view that to meet the ends of justice, one last opportunity may be granted to the petitioner to lead Pre-Summoning Evidence before the learned Trial Court, subject to deposit of cost of Rs. 30,000/- in the Delhi High Court Staff Welfare Fund, Account No. 15530110074442, IFCS Code: UCBA0001553, Bank and Branch: UCO Bank, Delhi High Court, within four weeks. Ordered accordingly.

14. The petition stands disposed of in the above terms.

**VIKAS MAHAJAN, J**

**DECEMBER 16, 2025**

**N.S. ASWAL**