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

+ **CRL.M.C. 181/2026**

SUSHIL

.....Petitioner

Through: Mr. Bharat Bagga, Adv. (through
VC)

versus

ARUN KUMAR

.....Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

% **09.01.2026**

CRL.M.A. 660/2026 (*Exemption*)

1. Allowed, subject to all just exceptions.
2. The present application is disposed of.

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3. By virtue of the present petition under Section 482 of Code of Criminal Procedure, 1973 (*Cr.PC*), the petitioner seek setting aside of the order dated 09.12.2025 (*impugned order*) passed by the learned District and Sessions Judge, North West, Rohini Court, Delhi in Cr. Rev. No.389/2024 whereby his revision petition has been dismissed.

4. Considering the settled position of law as laid down by the Hon'ble Supreme Court in *Parasuram Patel & Anr. vs. State of Orissa: (1994) 4 SCC 664* and this Court in *Ramesh Kumar vs. State (NCT of Delhi): 2010 SCC OnLine Del 4057*, *Kishan Chand vs. State (NCT of Delhi): 2015 SCC OnLine Del 10451*, *Sanjeev Kumar vs. State (NCT of Delhi): 2018 SCC OnLine Del 12905* and *Jitender Kumar vs. State (NCT of*



Delhi): 2022 SCC OnLine Del 3476 wherein it has been repeatedly observed that since a criminal revision involve valuable rights of the parties, the Court must apply its judicial mind and decide the revision on merits and dismissing the same mechanically in default and for non-prosecution is impermissible.

5. Bearing the aforesaid in mind, the impugned order is liable to set aside and the Cr. Rev. No.389/2024 is liable to be revived to its original form and stage.

6. Accordingly, the present petition is allowed and the order dated 09.12.2025 passed by the learned District and Sessions Judge, North West, Rohini Court, Delhi in Cr. Rev. No.389/2024 is set aside and the said Cr. Rev. No.389/2024 is revived to its original form and stage.

7. A copy of this order be sent to the learned Principal District & Sessions Judge, Rohini Courts, Delhi for information and compliance.

8. The present petition is disposed of in the aforesaid terms.

SAURABH BANERJEE, J

JANUARY 9, 2026/Ab