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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 21.01.2026

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CRL.M.C. 528/2026 & CRL.M.A. 2125/2026 & CRL.M.A. 2126/2026

PRATIMA MAHAJAN

.....Petitioner

Through: Mr. Armaan Roop Sharma and Ms.
Priya Pachouri, Advocates

versus

STATE (NCT OF DELHI) AND ORS

.....Respondents

Through: Mr. Nawal Kishore Jha, APP for the
State with SI Rajak Ahmed, PS C.R.
Park

CORAM: JUSTICE GIRISH KATHPALIA

JUDGMENT (ORAL)

1. Petitioner has sought to invoke powers of this Court under Section 482 CrPC and Article 227 of the Constitution of India with regard to an order passed by the Court of Sessions which was exercising revisional jurisdiction.

2. Having heard learned counsel for petitioner at length, I am unable to find the present petition maintainable. Rather, the present petition is completely frivolous.

3. For convenience, the prayer clause of the petition is extracted below:-

“a) Allow the present petition and set aside the findings and

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observations recorded in the Impugned Order dated 17.11.2025 in paragraphs no. 4, 5 and 6 passed by Sh. Vishal Singh, Ld. Additional Sessions Judge, South-East District, Saket Courts, New Delhi in Criminal Revision No. 477 /20224 titled as 'Pratima Mahajan vs. State & Ors.', and

b) Examine the legality and propriety of the Impugned Order dated 17.11.2025 passed by Sh. Vishal Singh, Ld. Additional Sessions Judge, South-East District, Saket Courts, New Delhi in Criminal Revision No. 477/20224 titled as 'Pratima Mahajan vs. State & Ors.', and

c) Call for and examine the Trial Court Record (TCR) in Ct Case No. 2150 of 2022, titled as ‘Pratima Mahajan vs. Subhash Mohan Gangahar & Ors.’, and

d) Direct the concerned police officials to investigate the matter without any prejudice and register an F.I.R against the Accused Persons under sections 316(2), 318 (4), 338, 336 (3), 340(2), 341 (1), 61(2), 3 (5) of the Bharatiya Naya Sanhita, 2023; and

e) Direct the concerned police officials to investigate the matter and submit the report before this Hon'ble Court, and

f) Pass such further orders as this Hon 'ble Court deem fit and necessary in the interest of justice."

4. Despite being repeatedly called upon, learned counsel for petitioner is unable to show any legal provision or judicial precedent which permits the High Court exercising jurisdiction under Article 227 of the Constitution of India and Section 482 CrPC to dissect a judicial order and set aside the selected portions from the same. After addressing partly, learned counsel for petitioner seeks permission to drop prayer clause (a).

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5. Out of rest of the prayer clauses, only prayer clause (d) would be a relief sought from the Court. The said relief is for directions to the local police to register FIR for offences mentioned therein and to investigate the same and file a report before this High Court. Even these reliefs cannot be granted for the following reasons. Admittedly, the petitioner filed application under Section 156(3) CrPC, which was dismissed by the learned trial magistrate and that dismissal was upheld by the Court of Sessions in revision proceedings. The provision under Section 438(3) BNSS categorically prohibits second revision proceedings. What is prohibited by law cannot be given backdoor entry invoking inherent powers unless it is a case of gross injustice. The present case does not fall in the category of gross injustice because of the available remedy of continuing with the Complaint Case, which in any case is pending before the magistrate.

6. Therefore, the present petition is completely frivolous and the same is dismissed with costs of Rs. 10,000/- to be deposited within one week by the petitioner online with www.bharatkeveer.gov.in. Accompanying applications also stand disposed of.

7. Copy of this order be sent to the learned trial court for intimation.

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