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

+ **CRL.M.C. 4260/2023 & CRL.M.A. 15998/2023**

SH RAJ KISHOR RAI

.....Petitioner

Through: Mr. M.S. Khan, Advocate (Through VC)

versus

THE STATE (N.C.T.) DELHI, & ORS.

.....Respondents

Through: Mr. Sunil Kumar Gautam, APP for State/R-1 with SI Sunny Khatri, PS Aman Vihar and
Ms. Pragya Parijat Singh, Mr. Lakshay Saini and Ms. Jayita Verma, Advocates for R-2 (Through VC)

+ **CRL.M.C. 4261/2023 & CRL.M.A. 16000/2023**

RAJ KISHORE RAI

.....Petitioner

Through: Mr. M.S. Khan, Advocate (Through VC)

versus

STATE NCT OF DELHI & ANR.

.....Respondent

Through: Mr. Sunil Kumar Gautam, APP for State/R-1
Ms. Pragya Parijat Singh, Mr. Lakshay Saini and Ms. Jayita Verma, Advocates for R-2 (Through VC)

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

05.05.2026

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1. Both the petitions being connected have been taken up together.
2. Dispute is essentially within the family and when the petitioner had

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filed separate complaints and also prayed for investigation under Section 156(3) Cr.P.C., his such applications were dismissed by the concerned Magisterial Court.

3. He challenged aforesaid orders by filing separate revision petitions and his such revision petitions were dismissed by the learned Sessions Court *vide* order dated 30.09.2022.

4. These orders are under challenge.

5. Mr. M.S. Khan, learned counsel for petitioner does admit that though the request for investigation and registration of FIR has been declined, petitioner has been granted opportunity to lead pre-summoning evidence.

6. After hearing arguments for some and without prejudice to his rights and contentions, Mr. M.S. Khan, learned counsel for petitioner seeks to withdraw the present petitions with liberty to lead pre-summoning evidence in relation to his said two complaints.

7. In view of the above, both the aforesaid petitions are disposed of as not pressed.

8. All rights and contentions of the parties are reserved.

9. Needless to say, the petitioner is always at liberty to summon his witnesses for the purposes of leading pre-summoning evidence and it will be entirely upto the learned Trial Court to take appropriate decision in the matter, after the pre-summoning evidence is led.

10. Pending applications also stand disposed of in aforesaid terms.

MANOJ JAIN, J

MAY 5, 2026/dr/sy