



2026:DHC:4889



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

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Date of Decision: 29.05.2026

+ **CRL.M.C. 4296/2026 & CRL.M.A. 17328/2026**

ANIL KUMAR

.....Petitioner

Through: Mr. Kaushik Aggarwal, Ms. Sejal,
Ms. Aashna and Nitendra Yadav,
Advocates

versus

STATE GOVT OF NCT OF DELHI AND ANRRespondents

Through: Mr. Hemant Mehla. APP for State
Mr. Yoginder Handoo and Mr.
Ashwin Kataria, Advocate for R2

CORAM: JUSTICE GIRISH KATHPALIA

J U D G M E N T (ORAL)

1. The petitioner/complainant *de facto* has assailed order dated 23.03.2026 of the learned Court of Sessions, whereby in the Crl. Rev 132/2026, the learned revisional court stayed the magisterial directions for registration of the FIR.

2. It is contended by learned counsel for petitioner that the impugned order is not sustainable in the eyes of law as the same is not a reasoned



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order.

3. Learned APP for State and learned counsel for respondent no. 2 (*accused*) accept notice and both of them, in all fairness, express inability to support the impugned order for the reason that the same does not spell out any reason for staying the order impugned in the revision proceedings.

4. That being so, both sides are agreeable that the impugned order be set aside and matter be remanded to the learned Court of Sessions to decide the stay application afresh and pass a reasoned order.

5. However, learned counsel for respondent no. 2/accused submits that by the time the Court of Sessions hears and decides the stay application, the local police would register the FIR, which would seriously prejudice respondent no. 2, who is a government servant. On this aspect, I have heard both sides for the limited purpose of ensuring that stay application of the present respondent no. 2 filed before the revisional court be properly heard. It is contended by learned counsel for respondent no. 2 that no cognizable offence is made out from the complaints sent by the present petitioner to the local police coupled with the medical record. Rather, it is contended that the complaints sent to police authorities clearly appear to have been drafted by some advocate.

6. Therefore, with consent of both sides, the impugned order dated 23.03.2026 is set aside and matter is remanded to the learned Court of Sessions with the directions to hear the stay application of the revisionist



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(*respondent no. 2 herein*) afresh and pass a reasoned order.

7. Considering the peculiar circumstances of this case, it is directed that till disposal of the stay application of the present respondent no. 2 by the Court of Sessions, the magisterial directions for registration of FIR shall be kept in abeyance.

8. Both sides shall appear before the learned Court of Sessions on the date already fixed there.

9. The petition and the accompanying application accordingly stand disposed of.

**GIRISH KATHPALIA
(JUDGE)**

MAY 29, 2026/as