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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
% **Date of Decision: 02nd February, 2026**
+ CRL.M.C. 423/2026 & CRL.M.A. 1678/2026
POOJAPetitioner

Through: Mr. Bharat Bhushan and Mr. Sandeep
Gupta, Advocates

versus

MR NEERAJ & ORS.Respondent

Through: None

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. Ms. Pooja had filed a complaint and application under Section 156 (3) of Criminal Procedure Code seeking investigation with respect to act and conduct of certain public servants/police officials.
2. Her such application seeking investigation was, eventually, dismissed by the learned Magisterial Court on 18.03.2023. Such order was challenged by her by filing a Revision Petition i.e. Criminal Revision Petition no. 424/2023.
3. In her such Revision Petition, while notice had yet not been issued, petitioner herein was directed to clear the cost, as imposed upon her. However, she neither cleared the cost nor appeared before the learned Revisional Court which resulted in dismissal of her such Criminal Revision Petition on 28.02.2024.
4. Petitioner, in order to seek its restoration, initially, filed an application before the same Revisional Court. However, since Revisional Court had no power to review and restore, the present petition has been filed seeking restoration of the aforesaid Revision Petition.
5. During course of arguments, learned counsel for petitioner also submitted that even if the aforesaid petition is, eventually, restored, he would not press the



same before the learned Revisional Court. He submits that since matter pertains to corruption, the proper remedy for the petitioner was to file application seeking investigation before Court of Special Judge (PC Act). He submits that he even filed such application but since aforesaid dismissal order dated 28.02.2024 was coming in his way, he had to, even, withdraw the aforesaid subsequent application.

6. I have seen various orders passed by learned Revisional Court from time to time and it is quite obvious that the petition was dismissed at the threshold stage, for non-appearance and for non-deposit of cost.

7. It is no longer *res integra* that any such revision or appeal cannot be dismissed-in-default.

8. Since notice had not been issued by the Revisional Court, this Court also does not find any requirement of issuing any notice in the present matter, particularly, when dismissal is resulting on account of non-appearance and non-deposit of cost, and not touching the merits of the case.

9. Keeping in mind the overall facts of the case and without expressing any observation with respect to merits of the main complaint and corresponding request for registration of FIR, the petition is disposed of, while permitting restoration.

10. Resultantly, order dated 28.02.2024 is set aside and Revision Petition in question stands restored to its original position and number.

11. Petitioner is directed to appear before the learned Revisional Court/Successor Court on 12.02.2026.

12. Pending application also stand disposed of in aforesaid terms.

(MANOJ JAIN)
JUDGE

FEBRUARY 02, 2026/dr/js