OFFICE OF THE PRINCIPAL DISTRICT & SESSIONS JUDGE,
NEW DELHI DISTRICT, PATIALA HOUSE COURTS, NEW DELHI

CIRCULAR

In compliance of the directions of the Ld. Principal District & Sessions Judge, New Delhi District, PHC, New Delhi, a letter No. 627-639/DHC/Gaz.IB/G-2/SC-Judgment/2026 dated 24-01-2026 alongwith a copy of order dated 08-01-2026 passed by Hon'ble Supreme Court of India in SLP (Criminal) No. 773/2026 titled as "Vijay Kumar Vs State of Rajasthan" has been uploaded on the official website i.e. newdelhi.dcourts.gov.in.

Therefore, it is requested to kindly peruse the abovesaid judgment from the official website for kind information & necessary compliance of the said judgment.

(Deepali Sharma)
Officer-in Charge, General Branch
District Judge, Commericial Court -03
New Delhi District, PHC, New Delhi.

No. 377-382 /Genl./NDD/PHC/2026 Dated, Delhi the 5/2/26

Copy to :-

1. All the Ld. Judicial Officers at PHC, New Delhi.
2. The Ld. Registrar General, Hon'ble High Court of Delhi, New Delhi for information.
3. PS to the Ld. Principal District & Sessions Judge, NDD, PHC, New Delhi for information.
4. Ld. Officer-in Charge, Computer Branch, PHC, New Delhi with the request to direct the concerned official to upload the same on the website of New Delhi District Courts as per rules.
5. Dealing Assistant, R & I Branch for uploading the same on LAYERS.
6. Administrative Officer (Judicial), PHC, to circulate the aforesaid judgment through WhatsApp. Group of Ld. Judicial Officers of New Delhi District.

Officer-in Charge, General Branch
District Judge, Commericial Court -03
New Delhi District, PHC, New Delhi.

ITEM NO.16 COURT NO.7 SECTION II-D

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

SPECIAL LEAVE PETITION (CRIMINAL) Diary No.71965/2025

[Arising out of impugned final judgment and order dated 01-08-2025 in SBCRRP No. 38/2003 passed by the High Court of Judicature for Rajasthan at Jaipur]

VIJAY KUMAR & ORS. Petitioner(s)

VERSUS

THE STATE OF RAJASTHAN Respondent(s)

(IA No. 338436/2025 - CONDONATION OF DELAY IN FILING SLP AND IA No. 338434/2025 - EXEMPTION FROM FILING O.T.)

Date : 08-01-2026 This matter was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE J.B. PARDIWALA
HON'BLE MR. JUSTICE K.V. VISWANATHAN

For Petitioner(s) :
Mr. Abhishek Gupta, AOR
Ms. Sheena Taqui, Adv.
For Respondent(s) :
Mr. Shiv Mangal Sharma, Sr. Adv.

UPON hearing the counsel the Court made the following
O R D E R

1. Delay condoned.

2. Exemption Application is allowed.

3. This litigation is very disturbing. What we are about to record is something very painful. Who is responsible, only a detailed inquiry at our end will decide.

4. The deceased namely Deepa got married to the Petitioner No.1 – herein namely Vijay Kumar on 21-11-2000. The Petitioner No.2 before us is the elder brother-in-law of the deceased. The Petitioner No.3 is the younger brother-in-law of the deceased. The Petitioner No.4 is the father-in-law of the deceased. The Petitioner No.5 is the mother-in-law of the deceased. The Petitioner No.6 is the sister-in-law of the deceased and the Petitioner No.7 is the uncle-in-law

of the deceased.

5. It is not in dispute that on 31-12-2001 Deepa died at her matrimonial home in mysterious circumstances. Thus, within one year of the marriage, Deepa died at her matrimonial home.

6. On 10-1-2002, the First Information Report No.5/2002 came to be registered at Nazirabad City Police Station, District Ajmer for the offence punishable under Sections 498A and 304B of the Indian Penal Code (for short the, "IPC").

7. The FIR was lodged by Girish Goyal, brother of the deceased against the petitioners – herein. In the FIR, the brother alleged that her sister was being harassed by the petitioners for demand of dowry. He further alleged that her sister was killed by the petitioners – herein by administering poison.

8. Upon registration of the FIR, investigation was undertaken.

9. Post-mortem of the dead body of Deepa was performed. In the post-mortem report, the Doctors opined that the exact cause of death could be assigned only after the histopathological report is received.

10. On 2-8-2002, the Police filed charge-sheet against all the seven petitioners – herein for the offences enumerated above.

11. On 15-11-2002, the Trial Court proceeded to frame charge against all the petitioners – herein for the offences enumerated above.

12. In January, 2003, the petitioners preferred Criminal Revision Petition No.38/2003 under Section 401 read with Section 397 of the Code of Criminal Procedure, 1973 seeking to challenge the order passed by the Trial Court dated 15-11-2002 framing charge.

13. The High Court by Order dated 14-2-2003 stayed the further proceedings of the trial.

14. The unfortunate events now start.

15. The Criminal Revision Petition filed by the petitioners in the year 2003 came to be taken up for hearing by the learned Single Judge of the High Court on 24-8-2023, i.e., after about 20 years.

16. On 1-3-2024, the matter was released for re-hearing and was ordered to be listed before the regular bench. On 10-7-2024, the

matter was once again heard and ultimately by Order dated 1-8-2025, the High Court rejected the Criminal Revision Petition.

17. In such circumstances, referred to above, the petitioners are here before us with the present petition.

18. We heard Mr. Abhishek Gupta, the learned counsel appearing for the petitioners.

19. We have no hesitation in dismissing this petition at the threshold. We are of the view that no error not to speak of any error of law could be said to have been committed by the High Court in passing the impugned order.

20. However, the matter should not set at rest over here. There are many questions begging for answers.

21. We would like to know first and the foremost why it took 23 years for the High Court to take up the Criminal Revision Petition filed by the petitioners for hearing, more particularly when the subject matter of challenge in the Criminal Revision Petition was an order framing charge in a very sensitive and serious trial like one of dowry death.

22. We would like to examine the entire record of the proceedings. We are saying so because we are perturbed by the fact that despite an interim relief operating, why the matter was not taken up for hearing at the earliest.

23. We direct the Registrar General of the High Court of Rajasthan to forward the entire record with all the order sheets by a Special Messenger to this Court at the earliest.

24. We would also like to know from the Registrar General of the High Court as to how many Criminal Revision Petitions came to be heard and disposed of between 2001 and 2026. We want the High Court to provide us with a break up of how many criminal revision petitions were filed in the year 2001 and how many came to be disposed of. We want this break up right up to the year 2026.

25. We would also like to know how many times the Criminal Revision Petition filed by the petitioners – herein in the High Court was notified for hearing from the date of its filing till the date it came to be dismissed.

26. We would also like to know from the State as to what steps it took as the prosecuting agency to get the Criminal Revision Petition filed by the petitioners heard at the earliest.

27. Why during this interregnum period of 23 years, the State of Rajasthan kept quiet and did not take any steps to get the Criminal Revision Petition heard and decided on merits.

28. This litigation is an eye-opener for all the High Courts across the country.

29. If criminal trials in such serious offences remain pending for years together on the strength of interim orders passed by the High Courts, it would lead to nothing but mockery of justice. Justice has to be done with all the parties. Justice cannot be done only with the accused persons. Justice has to be done even with the victim and the family members of the victim. Injustice anywhere is a threat to justice everywhere.

30. In this regard, we request the Chief Justices of all the High Courts to ensure that the petitions wherein interim orders are passed holding up the trials should be immediately taken up for hearing, more particularly in sensitive and serious matters like murder, dowry death, rape etc.

31. Once the file is received from the High Court, we shall proceed to pass further orders.

32. List on 15-1-2026 as Part-Heard.

33. The Registry shall serve one copy each of this order at the earliest to the standing counsel appearing for the State of Rajasthan. Mr. Shiv Mangal Sharma, the learned Senior counsel appearing for the State of Rajasthan waives service of notice.

34. Mr. Abhishek Gupta, the learned counsel appearing for the petitioner may also assist us in the larger interest of justice.

35. Let a copy of this order be transmitted to Secretary Generals/Registrar Generals of all the High Courts so as to have the same placed before the Hon'ble Chief Justices.

(VISHAL ANAND)
ASTT. REGISTRAR-cum-PS

(POOJA SHARMA)
COURT MASTER (NSH)