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

+ CRL.REV.P. 254/2016 and Crl.M.A.No.5245/2016

STATE N.C.T. OF DELHI

..... Petitioner

Through: Mr.Amit Chadha, APP.

versus

RAMTEJ

..... Respondent

Through: Mr.Suresh Sisodia and Mr.Kumar
Ranjan Mishra, Advs.

CORAM:

HON'BLE MR. JUSTICE P.S.TEJI

ORDER

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23.08.2016

1. The present revision petition has been filed under Section 397 read with Section 401 Cr.P.C. against the order dated 09.09.2015 passed by the learned ASJ.

2. The petition came up for hearing on 28.03.2016 when notice on Crl.M.A.No.5245/2016 seeking condonation of delay of 76 days in filing the instant petition, was issued to the respondent returnable for today i.e. 23.08.2016.

3. The learned APP for the State has submitted while framing charge, the learned ASJ did not frame charge under Section 302 IPC

and rather framed charges under Sections 201, 376A and 392 read with Section 411 IPC.

4. The learned APP for the State has submitted that there was ample evidence, particularly medical evidence, available on record to frame charge against the respondent/accused under Section 302 IPC and in the light of the same, the State may be granted liberty to move an application before the Trial Court for amendment of the charge under Section 216 Cr.P.C.

5. In view of the aforesaid, the delay in filing the present petition is condoned and the petition is disposed of with liberty to the petitioner to approach the Trial Court for framing a charge on the basis of the material before the Court.

6. Dasti.

P.S.TEJI, J

AUGUST 23, 2016/dm