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

+ **CRL.L.P. 168/2016**

STATE OF NCT O DELHI

..... Petitioner

Through: Mr. Rajat Katyal, APP with SI
Jitender, PS Rani Bagh

versus

RAM AVTAR

..... Respondent

Through:

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER
05.08.2016

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Crl. M.A. No. 4428/2016

Exemption allowed, subject to all just exceptions. The application stands disposed of.

Crl. M.A. No. 4407/2016

For the reasons stated in the application, the delay in filing the appeal is condoned. The application stands disposed of.

CRL.L.P. 168/2016

The State seeks leave to appeal against the judgment dated 26.11.2015 passed by the learned ASJ-SJ/ NDPS (NW), Rohini Courts, Delhi in case No.7/2015 arising out of FIR No.782/2014. The trial court has acquitted the

accused on the premise that there are no independent witnesses to support the case of the prosecution against the respondent/ accused. The independent witnesses did not see the accused lighting fire or running away from the jhuggi of the complainant. It has also come on record that there was previous enmity between the accused on the one hand and the family members of the complainant on the other hand.

The submission of Mr. Katyal is that the accused was named at the earliest opportunity, namely, in the PCR form. In my view, that by itself cannot pin down the respondent/ accused, since even that information was given by the complainant himself. The respondent has been given the benefit of doubt. I do not find any infirmity in the impugned judgment.

Dismissed.

VIPIN SANGHI, J

AUGUST 05, 2016

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