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

+ CRL.REV.P. 647/2014 & CrI.M.A. No.5112/2015

PARAKSHO DEVI

..... Petitioner

Through: Mr.B.S.Chauhan, Advocate with
petitioner in person.

versus

STATE (GOVT OF NCT OF DELHI) & ANR

..... Respondents

Through: Ms.Rajni Gupta, APP for the State/
R-1 with SI Rajeev Kumar, PS New
Ashok Nagar.

CORAM:

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

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29.04.2016

1. By filing the present revision petition, the petitioner/complainant is impugning the order dated 15.07.2014 whereby the learned Appellate Court has set aside the conviction of the respondent by learned MM vide judgment and order on sentence dated 20.11.2013 and 26.11.2013 respectively and acquitted the respondent.
2. In view of the decision of the Supreme Court in *Satya Pal Singh vs. State of M.P.& Ors.* in CrI.A. No.1315/2015 (arising out of SLP (CrI.) No.7954/2014) decided on 6th October, 2015, even the complainant has to seek leave to appeal while impugning the order of acquittal.
3. Learned counsel for the petitioner seeks permission to withdraw the present revision petition with liberty to file CrI. Leave petition for leave to

appeal. Learned counsel for the petitioner further submits that the petitioner may be permitted to seek condonation of delay in filing the petition seeking leave to appeal on the ground that the petitioner was pursuing the remedy by filing this revision petition.

4. The revision petition is dismissed as withdrawn with liberty to file the petition seeking leave to appeal to challenge the order of acquittal passed in CA No.34/2014.

5. Needless to state that while filing the petition seeking leave to appeal, it is for the petitioner to make necessary averments while seeking condonation of delay in filing the petition seeking leave to appeal that she was bonafide in pursuing the remedy by filing the revision petition instead of filing the petition seeking leave to appeal.

As prayed, copy of the order be given dasti to learned counsel for the petitioner.

PRATIBHA RANI, J.

APRIL 29, 2016

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