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

+ CRL.A. 1299/2015 & CrI.M.A. No.17751/2015

POONAM

..... Appellant

Through: Ms.Gurmeet Kaur Kapur, Advocate
for Mr.Inderjit Singh Kapur,
Advocate for the appellant.

versus

STATE & ORS

..... Respondents

Through: Ms.Kusum Dhalla, APP for the State
with W/SI Kamlesh Arora, PS
Mehrauli.

CORAM:

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

22.03.2016

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1. Learned APP for the State submits that 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.

2. After going through the above report, learned counsel for the appellant seeks permission to withdraw the present appeal with liberty to file the petition seeking leave to appeal. She further submits that the appellant may be permitted to seek condonation of delay in filing the petition seeking leave to appeal on the ground that she was pursuing the remedy by filing this appeal.

3. The appeal is dismissed as withdrawn with liberty to file the petition seeking leave to appeal to challenge the order of acquittal passed in Session Case No.72/2015.

4. Needless to state that while filing the petition seeking leave to appeal, it is for the appellant 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 appeal 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.

MARCH 22, 2016

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