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

+ **CRL.L.P. 192/2019**

**SMT. PAYAL**

..... Petitioner

Through: Mr. Mithilesh Kumar Singh and Mr. Tarun Verma, Advocates

versus

**STATE ( GOVT OF NCT ) OF DELHI & ORS.** ..... Respondents

Through: Mr. Rajat Katyal, APP for the State with SI Prabhakaran, PS-Dabri.

**CORAM:**

**HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL**

**ORDER**

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**12.03.2019**

**Crl. M. A. No. 5333/2019 (Exemption)**

Exemption allowed, subject to just exceptions.

Application stands disposed of.

**Crl. LP 192/2019**

The present leave to appeal has been filed by the complainant/appellant under Section 378 (3) read with Section 482 Cr.PC assailing the judgment dated 29.11.2018 passed by the learned Metropolitan Magistrate (Mahila Court-02), South West District, Dwarka Courts, in case FIR No. 244/2009 under Sections 498-A/406/34 of the Indian Penal Code registered at Police Station – Dabri.

In view of the judgment passed by the Apex Court in ***CRLA. Nos.1281-82/2018*** arising out of ***SLP (CRL) Nos.7040-7041/2014*** titled as ***“Mallikarjun Kodagali (Dead) represented through Legal representatives Vs State of Karnataka & Ors.”***, the present leave petition is allowed.

Leave, as prayed is granted. Registry is directed to register the present petition as appeal.

Petition stands disposed of.

**Crl. A. /2019 (To be numbered)**

Issue notice.

Mr. Rajat Katyal, learned Additional Public Prosecutor accepts notice on behalf of the State.

Issue notice to other respondents, by all permissible modes, returnable on 10.07.2019.

Trial Court Record be requisitioned so as to be available for the perusal of the Court on the next date of hearing.

List on 10.07.2019.

**SANGITA DHINGRA SEHGAL, J**

**MARCH 12, 2019**

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