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

+ CRL.L.P. 16/2019

HARI PRAKASH

..... Petitioner

Represented by: Mr.Shailendra Bhardwaj and
Ms.Aroma S.Bhardwaj, Advocates

versus

STATE NCT OF DELHI & ORS.

..... Respondents

Represented by: Ms.Rajni Gupta, APP for the State
with SI Ravi Kumar, PS Narela

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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09.01.2019

Crl.M.A.No.253/2019

For the reasons stated in the application, delay of 64 days in re-filing the petition is condoned.

Application is disposed of.

Crl.L.P.No.16/2019

In view of the fact that the petitioner is the complainant in case FIR No.826/2016 under Sections 323/342/308/34 IPC registered at PS Narela and the trial proceeded as a State case as decided by the Hon'ble Supreme Court in the decision reported as 2018 SCC Online SC 1941 Malikaarjun Kodagani Vs. State of Karnataka, the petitioner is not required to seek leave to appeal. Consequently, the Registry will register the present leave to appeal along with the ground urged as criminal appeal.

CRL.L.P. 16/2019

page 1 of 2

Petition is disposed of accordingly.

CrI.A. _____/2019

Registry is directed to number the appeal.

Notice.

Learned APP for the State accepts notice.

Notice be now issued to respondent Nos.2 to 4 on the petitioner taking steps through ordinary and dasti process, registered AD and speed post returnable on 3rd April, 2019.

MUKTA GUPTA, J.

JANUARY 09, 2019

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