

\$~7

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

+ CRL.L.P. 746/2018

STATE

..... Petitioner

Through Ms. Radhika Kolluru, APP for State.
SI Amit, P.S. Kalyan Puri.

versus

SURESH @ ANNA & ORS.

..... Respondents

Through Mr. Ashwini Kumar and Mr. Arup
Sinha, Advocates.

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

%

31.01.2019

Crl. MA No. 35992/2018 (delay)

The present application under Section 5 of the Limitation Act, 1963, read with Section 482 of the Code of Criminal Procedure, 1973, filed on behalf of the applicant/State, seeks condonation of delay of 39 days in filing the accompanying appeal.

Issue notice.

Mr. Ashwini Kumar, learned counsel accepts notice on behalf of the non-applicants/respondents and fairly does not oppose the application.

For the reasons stated in the application, which are duly supported by an affidavit and in the interest of justice, the same is allowed. The delay of 39 days in filing the accompanying appeal is condoned.

The application is disposed of accordingly.

Crl. L.P. 746/2018

Having heard learned counsel appearing on behalf of the parties, we are of the considered view that, no good ground for grant of leave to appeal against the order impugned dated 1st June, 2018 in Sessions Case No. 535/2016, titled as “*State vs. Suresh @ Annu & Ors.*” in the present petition, is made out.

The leave petition is accordingly dismissed.

Detailed reasons to follow by way of a separate order.

SIDDHARTH MRIDUL, J

SANGITA DHINGRA SEHGAL, J

JANUARY 31, 2019

RS