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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. No. 1663/2020

MOHIT MEHTA

..... Petitioner

Through: Dr.Harish Uppal, Mr.Thileshwar
Prasad and Ms. Perna Verma,
Advocates with petitioner in person.

versus

NAYANIKA THAKUR

..... Respondent

Through: Mr. Jayant Panwar, Advocate

CORAM:

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

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20.08.2020

(Hearing through Video Conferencing)

Crl.M.A. No. 11253/2020

Exemption allowed, subject to just exceptions

Crl.M.C. No. 1663/2020

The petitioner vide the present petition assails the impugned order dated 11.8.2020 of the learned Additional Sessions Judge-03, Patiala House Courts in Criminal Appeal No. 92/2020 which appeal had been filed by the petitioner herein against the order dated 11.2.2020 of the learned Trial Court, which appeal had been declined on the ground of limitation it being barred by the limitation.

On behalf of the petitioner it is sought to be asserted that the appeal could not be filed in view of the pandemic and that there are submissions that have been made before the Appellate Court as indicated to be reproduced in the order dated 11.8.2020 and that

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though order copy of which is annexed as annexure P-5 states it is dated 11.08.2020 it was in fact passed on 24.4.2020 and therefore by then the limitation had ended and the lockdown had come into effect.

As rightly observed vide the impugned order, the said contention raised on behalf of the appellant, i.e., the petitioner herein was not accepted taking into account the necessary presumption of validity and sanctity of all judicial actions that has to be drawn in terms of Section 114 of the Indian Evidence Act, 1872.

The impugned order also indicates to the effect that though it has been submitted on behalf of the appellant i.e., the petitioner herein that the certified copies of the impugned order could not be applied for, it is reflected through the impugned order that the appellant, i.e., the petitioner herein had not even applied for the certified copy of the order before the regular functioning of the Courts had been suspended.

In these circumstances, it is apparent that there is no infirmity whatsoever in the impugned order dated 11.8.2020. The petition Crl.M.C.No.1663/2020 is thus declined.

ANU MALHOTRA, J

AUGUST 20, 2020/SV

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