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

+ CRL.A. 177/2024 , CRL.M.A. 6035/2024

SMT SAROJ RANI

.....Appellant

Through: Mr.Babhakar Mani Tiwari, Adv.

versus

THE STATE (GOVT NCT OF DELHI) & ANR.Respondents

Through: Mr. Satish Kumar, APP for the state
with SI Vivek Kumar, PS Gandhi
Nagar.

Mr. Sonal K. Singh, Mr. Paritosh
Anil, Adv. for R-2 with R-2 in
person.

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER

22.07.2024

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CRL.M.A. 6034/2024

1. This is an application seeking condonation of delay of 609 days in re-filing the appeal. By the present appeal, the order judgment dated 07.12.2021 and order on sentence dated 29.01.2022 has been challenged. The grievances of the appellant is that the learned Trial Court has convicted under Sections 323/341 instead of 323/341/308/34 IPC.
2. Learned counsel submits that initially the appeal was filed on 24.05.2022. However, the same was under objection and there was delay of 609 days in refiling the present appeal.
3. The only reason given in the application is that the appellant fell ill and could not contact her counsel. However, there is no supporting documents



on the record. The limitation gives a vested right to the opposite party. The delay cannot be condoned at mere asking of the parties. The parties has to be sufficient cause for not approaching the Court within the period prescribed. No reason has been given for the delay of 609 days. Hence, the application is dismissed.

CRL.A. 177/2024 , CRL.M.A. 6035/2024

4. In view of the above, the present appeal and pending application stands dismissed.

DINESH KUMAR SHARMA, J

JULY 22, 2024

Pallavi