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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.L.P. 415/2024, CRL.M.A. 25081/2024 & CRL.M.A. 25082/2024**

STATE OF NCT OF DELHI

.....Petitioner

Through: Mr. Ritesh Kumar Bahri, APP for the State.
Insp. Muneesh Kumar, PS Ambedkar Nagar.

versus

RANJEET SINGH

.....Respondent

Through: None.

CORAM:
JUSTICE PRATHIBA M. SINGH
JUSTICE AMIT SHARMA

ORDER
% **22.08.2024**

1. This hearing has been done through hybrid mode.
2. The present petition seeking leave to appeal has been filed by the State under Section 378(1) Cr.P.C. challenging the impugned judgment dated 16th August, 2021, passed by ASJ-04 (POCSO) South, Saket Courts, in SC No.7468/2016, arising out of FIR no. 378/2015 under Sections 376(2)/506 IPC and Sections 6/12 POCSO Act registered in PS Ambedkar Nagar, by which the accused/respondent has been acquitted under Section 376(2)/506 of the IPC and Sections 6/12 of the POCSO Act.
3. The Id. Trial Court has found that there were various contradictions and inconsistencies in the testimony of the survivor (PW-1) as also her mother (PW-2). Further, the FIR in the present case was also registered after 1.5 years of the alleged incident and the initial allegation by the mother of the survivor



against Respondent was one of '*maar-peet*' i.e., domestic violence.

4. Moreover, this Court has noticed that there is a delay of 1095 days in filing of the present leave to appeal and there is no proper explanation for the delay. Though there are judgments cited in support of the application of delay, however, in the absence of plausible and sufficient cause for condoning the delay, this Court is not inclined to condone the delay.

5. Accordingly, the present leave to appeal is dismissed.

6. Pending application(s), if any, also stand disposed of.

PRATHIBA M. SINGH, J.

AMIT SHARMA, J.

AUGUST 22, 2024/bsr/Pc/ms