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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.REV.P. 1319/2024 & CRL.M.A. 35683/2024 CRL.M.A.
35684/2024 CRL.M.A. 35685/2024
GURDEV SINGH THROUGH LRSPetitioner

Through: Mr. Ram Narayan Singh, Advocate.
versus

STATE GNCTD OF DELHI AND ORSRespondents
Through: Ms. Manjeet Arya, APP for the State.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

28.11.2024

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By way of the present petition filed under section 438 read with section 442 of Bharatiya Nagarik Suraksha Sanhita 2023, the petitioner impugns order dated 27.01.2024 made by the learned Sessions Court, whereby charges have been directed to be framed against all the accused persons in case FIR No.1170/2020 dated 21.12.2020 registered under sections 3(1)(r) and 3(1)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 ('SC/ST Act') a P.S.: Nihal Vihar, Outer District Delhi; *and* order dated 27.01.2024 whereby the charges have been so framed and the matter has been placed for leading prosecution evidence on 02.05.2024.

2. At the outset, it is noticed that as per the record there were 04 accused persons in the subject FIR, namely Gurdev Singh, Jasvinder Kaur *alias* Rani, Satender Singh *alias* Raja and Lovepreet Kaur *alias* Simran; however Gurdev Singh has since passed-away on 13.05.2024. Though the memo of parties names accused Nos. 2, 3 and 4 only as legal representatives of deceased Gurdev Singh, considering the order



the court proposes to pass in the present case, accused Nos. 2, 3 and 4 are taken as the petitioners in the present case.

3. Ms. Manjeet Arya, learned APP appearing for the State submits that in view of the special provision contained under section 14-A of the SC/ST Act, an appeal is provided to the High Court against any judgment, sentence or order (not being an interlocutory order) passed by the Special Court, both on facts and on law; and that therefore the present revision petition is not maintainable.
4. Besides, Ms. Arya also points-out, that even the limitation for filing an appeal under section 14-A of the SC/ST Act is 90 days in the first instance, with the provision that the High Court may entertain an appeal beyond the period of 90 days if sufficient cause is shown but no appeal can be entertained after a period of 180 days.
5. In the present case, it is noticed that there is admittedly a delay of 252 days in filing the present revision petition; and an application seeking condonation of delay has been filed by way of CRL.M.A.35685/2024.
6. In the above view of the matter, the present revision petition is disposed-of as not maintainable, leaving the petitioners to adopt such other remedies as may be available to them, in accordance with law.
7. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

NOVEMBER 28, 2024

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