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

+ **CRL.REV.P. 430/2015**

DR H B MISHRA

..... Petitioner

Through: None.

versus

BINOD KUMAR SINGH & ANR

..... Respondents

Through: Mr. Sunil Kumar Jha, Advocate
through VC.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

27.03.2024

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1. The present petition has been filed against the impugned judgment dated 03.03.2015 whereby the criminal appeal was allowed and the judgment of conviction dated 19.07.2014 and order on sentence dated 21.07.2014 passed by the learned Metropolitan Magistrate, were set aside.
2. None appears on behalf of the petitioner when the matter is called out.
3. The learned counsel for the respondents submits that the present criminal revision petition is not maintainable against the order of acquittal, in as much as, it is the petition seeking leave to appeal under Section 378(4) CrPC which would lie against the order of acquittal.
4. He further invites the attention of the Court to the order on sentence to contend that the cheque amount in the present case is only Rs. 12,000/-.
5. The order sheets reveal that the petitioner has not been diligently prosecuting the present petition. There was no appearance on behalf of the petitioner even on the last date.
6. In view of the above, the petition is dismissed for non-prosecution.

VIKAS MAHAJAN, J

MARCH 27, 2024/MR