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

+ CRL.L.P. 64/2025

RUPA RANI SHARMA

.....Petitioner

Through: Mr. Banke Bihari & Mr. Maneej Kumar,
Advocates

versus

STATE GOVT. OF NCT OF DELHI AND ANRRespondents

Through: Mr. Shoaib Haider, APP for State.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

14.02.2025

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CRL.M.A.2895/2025 (Under Section 5 of Limitation Act for condonation of 634 days delay in filing the Petition)

1. Application under Section 5 of the Limitation Act has been filed on the behalf of the Petitioner for condonation of delay of 634 days in filing the Petition bearing No. CRL.L.P.64/2025.
2. Petition under Section 419(4) read with Section 528 of BNSS, 2023 has been filed against the Order dated 09.02.2023 whereby the Complaint at the stage of pre charge evidence has been dismissed for non-prosecution and the Respondent No.2 has been acquitted.
3. In the Application it is submitted that the Appellant/Petitioner is a senior citizen suffering from various health issues and was not in a proper shape to contest the suit. One more civil suit is pending between the parties. On 24.12.2024, during the hearing in the said case, the Plaintiff was shocked to know that the present Complaint case has been disposed of. The Petitioner has moved the present Application for condonation of delay of 634 days which occurred on account of the reasons stated in the Application.
4. It is, therefore submitted that the delay in filing the Petition be condoned.



5. **Submissions Heard.**

6. From the averments made in the Petition itself it is evident that the Petitioner has been pursuing the Civil Suit. Her claim that she is aged and is not in a position to pursue the litigation, is not tenable. There is no sufficient ground given for explaining the delay of 634 days in filing the Present Petition.

7. The Application and the Petition is hereby dismissed.

NEENA BANSAL KRISHNA, J

FEBRUARY 14, 2025

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