



2025:DHC:1760



* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Reserved on: 11th March, 2025
Pronounced on: 19th March, 2025

CRL.L.P. 23/2021

STATE (NCT OF DELHI)

.....Petitioner

Through: Ms. Meenakshi Dahiya, APP for the State.

versus

ASHOK KUMAR DAHIYA

S/o Late Sh. Baljeet Singh

R/o A-24, Sai Apartment

Sector-13, Rohini, Delhi.

.....Respondent

Through: Ms. Nusrat Hossain, Advocate.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

J U D G M E N T

1. Criminal Leave Petition under Section 378(3) of the Code of Criminal Procedure, 1973 (*hereinafter referred to as "Cr.P.C"*) has been filed on behalf of the Petitioner/State seeking Leave to Appeal against the Judgment dated 15.01.2020 passed by Ld. Special Judge ACB, whereby the Respondent has been acquitted under Sections 7, 13(d) read with 13(2) of the *Prevention of Corruption Act* in FIR No. 17/2013 P.S. ACB, Delhi.

2. Essentially the Chargesheet was filed in court on 06.01.2018. Cognizance was taken on 19.03.2018 and accordingly, the accused was summoned. Further, the supplementary Chargesheet was filed on 30.10.2018 and cognizance of offence punishable under Sections 7/13 of PC Act against

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Ashok Kumar Dahiya was taken on 13.11.2018. Thereafter, on 03.01.2019, the charges were framed under Section 7 & 13(1)(d) of PC Act.

3. The Prosecution had recorded the statements of the Complainant, Accused and other witnesses.

4. The impugned judgment has been challenged on the ground that the evidence was not properly appreciated by the Ld. Trial Court in that the Accused was caught red handed while receiving Rs. 10,000/- bribe and that he had demanded the same. Further, that the sanction was duly taken from the sanctioning authority.

5. Considering the grounds sought for seeking Leave to Appeal, the Leave Petition is allowed.

Crl.A. /2025 (To be numbered by the Registry)

6. Arguments to be heard in Appeal.

7. List for Arguments on 24.03.2025.

**(NEENA BANSAL KRISHNA)
JUDGE**

MARCH 19, 2025

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