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

+ CRL.L.P. 118/2022

STATE

.....Petitioner

Through: Mr. Sunil Kumar Gautam,
APP for the State with SI
Birendra Singh.

versus

VIRENDER SINGH

.....Respondent

Through: Mr. Amardeep Indora,
Advocate.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

% **21.07.2025**

1. The present leave to appeal petition is filed by the State against the impugned judgment dated 27.11.2019, passed by the learned Additional Chief Metropolitan Magistrate (West Distt.), Tis Hazari Courts, Delhi, thereby acquitting the respondent of the offence under Sections 279/304A of the Indian Penal Code, 1860.
2. The learned Additional Public Prosecutor for the State submits that the learned Trial Court had doubted the prosecution witness observing that the deceased though was alleged to have been hit by the front left portion of the bus, but came under the rear left wheel.
3. He submits that as per the allegation, the bus was taking a turn and even though the deceased was hit by the front left portion of the bus, the deceased due to large body bus being turned, can possibly come under the rear left wheel of the bus.
4. The matter requires consideration.
5. In view of the above, the leave to appeal is granted and the



appeal be numbered as Criminal Appeal/2025 (*to be numbered*).

6. The present petition is disposed of in the aforesaid terms.

CRL.A._____ (*to be numbered*)

7. The appeal is admitted.

8. List in due course.

9. The respondent shall furnish a personal bond in the sum of ₹10,000/- with one surety of the like amount, to the satisfaction of the Joint Registrar (Judicial) on 25.07.2025.

AMIT MAHAJAN, J

JULY 21, 2025

DV