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

+ **CRL.L.P. 133/2022 & CRL.M.A. 6265/2022**

AMARJEET KAURPetitioner

Through: Mr. Ghan Shyam Sharma,
Adv.

versus

NIRMAL SINGHRespondent

Through: Mr. Shiv Shankar (through
VC), Ms. Mahima
Chaudhary & Ms. Shailvi,
Advs.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

% **26.08.2025**

1. The present petition is filed challenging the order dated 05.02.2022, passed by the learned Metropolitan Magistrate, South East District, Saket Court, in Complaint Case No. 616373/2016, whereby the respondent was acquitted of the offences punishable under Sections 323/354/506 of the Indian Penal Code, 1860.
2. The petitioner is a victim of the alleged offence and he had filed a complaint under Section 200 of the Code of Criminal Procedure, 1973 ('CrPC').
3. The petitioner, being a victim, is entitled to maintain an appeal under proviso to Section 372 of the CrPC and is not required to seek leave of this Court to challenge the order of acquittal.
4. In terms of the proviso to Section 372 of the CrPC, an appeal by a victim against the judgment of acquittal passed by



the learned MM will have to be heard by the learned Court of Sessions.

5. In view of the above, the present matter is disposed of with direction that the present petition be treated as an appeal under the proviso to Section 372 of the CrPC and numbered accordingly.

6. The Registry is directed to transfer the entire record of the case, including the TCR, to the concerned appellate Court of Sessions.

7. The order be communicated to the concerned Principal District & Sessions Judge for compliance and listing before the concerned Appellate Court on 08.10.2025.

8. The parties are directed to appear before the concerned Appellate Court on 08.10.2025. The respondent/ accused is directed to remain present in person before the concerned Appellate Court on the said date for further proceedings.

9. Considering that the matter has been pending before this Court since the year 2022, the learned Sessions Court is requested to dispose of the matter expeditiously.

AMIT MAHAJAN, J

AUGUST 26, 2025
“SS”