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

+ **CRL.L.P. 258/2025**

MR. SHUBHAM DHALLAppellant

Through: Mr. Tanuj Uppal, Adv.

versus

MR. HITESH CHUGHRespondent

Through:

CORAM:

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

% **25.04.2025**

**CRL.M.A. 12415/2025 EXEMPTION CRL.M.A. 12416/2025
EXEMPTION, CRL.M.A. 12417/2025 EXEMPTION**

Allowed, subject to all just exceptions.

The applications stand disposed of.

**CRL.M.A. 12418/2025 DELAY 28 DAYS IN FILING OF APPEAL &
CRL.M.A. 12419/2025 DELAY 57 DAYS IN RE-FILING**

In view of the grounds explained in the applications, delays of 28 days in filing and 57 days in re-filing the appeal are condoned.

The applications stand disposed of.

CRL.L.P. 258/2025

Leave granted.

The petition stands disposed of.



Criminal Appeal No. ____/2025 (to be numbered)

1. This is an appeal under Section 378(4) Cr.P.C/ 419(4) of Bharatiya Nagarik Suraksha Sanhita, 2023 is filed on behalf of the appellant against the order dated 19.10.2024 passed by the learned Metropolitan Magistrate, NI Act-03, West District, Tis Hazari Courts in CC No. 12647/2018 whereby the respondent has been acquitted of the offence under Section 138 NI Act.
2. Learned counsel for the appellant submits that the presumption is available in favour of the appellant and despite the respondent having failed to rebut the said presumption during the trial, the learned trial court has acquitted the respondent.
3. Issue notice to the respondent through all permissible modes, subject to the appellant taking the requisite steps, returnable on 18.09.2025.

RAVINDER DUDEJA, J

APRIL 25, 2025/ib