



\$~17 (25.11.2025)

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

+ CRL.L.P. 369/2022

THE STATE (NCT OF DELHI)Petitioner

Through: Mr. Ritesh Kumar Bahri,
APP for the State with Ms.
Divya Yadav, Advocate.

versus

SAURABH GUPTA ALIAS SONURespondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

% **26.11.2025**

CRL.L.P. 369/2022

1. Due to declaration of holiday on 25.11.2025 on account of 350th anniversary of Guru Teg Bahadur Ji's Martyrdom Day, the matter is taken up for hearing today.
2. The present petition is filed seeking leave to appeal against the judgment dated 31.01.2020, passed by the learned Additional Sessions Judge-02 ('ASJ'), South East District, Saket Courts, New Delhi pursuant to which the Respondent was acquitted for offence under Sections 392/397/411/34 of the Indian Penal Code, 1860 ('IPC').
3. The learned APP for the State submits that once the recovery of the robbed mobile phone from the possession of the respondent has been accepted by the learned Trial Court, no order of acquittal could have been passed on the basis of minor inconsistencies in the testimony of the victim. He submits that the victim has categorically pointed out towards the respondent



and that the knife and mobile phone recovered from the accused.

4. It is further submitted that the victim has also, in his deposition, named the respondent and duly identified him in court.

5. The matter requires consideration.

6. In view of the above, the leave to appeal is granted and the appeal be numbered as Criminal Appeal/2025 (to be numbered).

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

Criminal Appeal/2025 (to be numbered)

8. The appeal is Admitted.

9. List in due course.

10. 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 03.12.2025.

AMIT MAHAJAN, J

NOVEMBER 26, 2025

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