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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.A. 347/2021**

GIAN SINGH

.....Appellant

Through: Mr. Radha Singh, Advocate.

versus

GOVT OF NCT OF DELHI & ORS.

.....Respondents

Through: Mr. Pradeep Gahalot, APP for State
with SI Raghuraj Singh, P.S. Sangam
Vihar.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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10.09.2025

1. The present appeal has been preferred under Section 378 Cr.P.C. by the appellant/complainant against the judgment dated 28.07.2020 passed by the learned Metropolitan Magistrate-04, South, Saket Courts, New Delhi in the case bearing no. 2037839/2016 titled as “State Vs. Raj Bahadur Singh Dhaka & Ors.”, whereby respondent nos. 2 to 8 herein were acquitted of the charges arising out of FIR No. 154/2010 registered at P.S. Sangam Vihar under Sections 147/148/149/452/427/323/506 IPC.

The appellant had approached this Court by way of CRL.L.P. 155/2021 seeking leave to appeal, which was granted vide order dated 15.11.2021, following which the present appeal was admitted.

2. In terms of the proviso to Section 372 Cr.P.C., a statutory appeal by a victim against an order of acquittal passed by a Magistrate lies before the Court of Sessions. Since the appellant herein is the complainant and the



impugned judgment has been rendered by a Metropolitan Magistrate, this Court finds it appropriate to direct that the present appeal be transferred to the concerned Appellate Court of Sessions for consideration in accordance with law.

3. For this purpose, the matter shall be placed before the learned Principal District & Sessions Judge, South District, Saket Courts, New Delhi on 26.09.2025 for directions. The learned Principal District & Sessions Judge may thereafter assign the matter to the concerned Appellate Court/learned ASJ having jurisdiction.

4. The Registry is directed to forthwith transmit the entire record of the case, including the requisitioned copy of the TCR, to the Court of the Principal District & Sessions Judge, South District, Saket Courts, New Delhi.

5. Considering that the matter has remained pending for a considerable period, the learned Appellate Court is requested to endeavour to dispose of the appeal as expeditiously as possible.

6. It is made clear that this Court has not made any observations as to the merits of the case and all rights and contentions of the parties are left open to be agitated before the Court concerned.

7. A copy of this order be sent to the learned Principal District & Sessions Judge, South District, Saket Courts, New Delhi for necessary information and compliance.

MANOJ KUMAR OHRI, J

SEPTEMBER 10, 2025

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