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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.L.P. 471/2022 & CRL.M.A. 20150/2022**

STATE

.....Petitioner

Through: Mr. Ritesh Kumar Bahri, APP for the
State with Mr. Lalit Luthra Adv. (M:
9910645959) with Insp Vijay Kumar,
PS Mandawalu.

versus

SABANA

.....Respondent

Through: Mr. Yogendra Mishra, Adv. along
with Respondent in person.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE DHARMESH SHARMA

ORDER

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13.01.2025

1. This hearing has been done through hybrid mode.

CRL.M.A. 20150/2022 & CRL.L.P. 471/2022

2. This present application has been filed under Section 378(4) of the Cr.P.C. seeking leave to appeal against the acquittal of the Respondent *vide* order dated 1st October, 2021 passed by the ASJ-02 (East), Karkardooma Courts, Delhi in SC No.374/2017 and in FIR No. 234/2013, dated 25th April, 2013 at Police Station: Mandawali under Section 307 of IPC

3. The perusal of the judgment would show that the allegation in this case against the Respondent was that she had thrown some substance on her mother-in-law and 20% burn injuries were suffered.

4. The Trial Court has considered the evidence and has opined as under:-

“24. In these facts and circumstances, in the opinion of this court, two views are clearly possible in this case. One, that Sabana was responsible for the clothes of Najma having caught fire as there was no person other



than Sabana present at the place of the incident and second, that Najma did suffer burns but she falsely implicated her daughter-in-law Sabana due to their strained relationship.”

5. The Court also observes that there is an application seeking condonation of delay of more than 115 days in the present appeal. The incident took place almost 12 years ago.
6. Ld. APP submits that there is enough evidence to show that she was the only person present with her mother-in-law in the house at that time and the injuries have also been suffered by her.
7. The Court has considered the impugned judgment as well as the submissions of the Counsel. The Trial Court in the impugned judgement has held that there is a possible view on both sides that - either it was an accidental burn or the Respondent was being implicated. The FSL report also did not support the case of the deceased.
8. It is stated that the Respondent also has four children.
9. In the overall facts and circumstances, the Court is not inclined to grant leave to appeal in this case.
10. In view of the above, the present leave petition is disposed of. All pending applications are also accordingly disposed of.

PRATHIBA M. SINGH, J

DHARMESH SHARMA, J

JANUARY 13, 2025/gunn/bh