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

+ **CRL.L.P. 42/2020**

STATE

.....Petitioner

Through: Ms. Priyanka Dalal, APP
for the State
SI Sandeep Singh, PS-
Ghazipur

versus

ARJUN @ MANAK

.....Respondent

Through: Ms. Ananya Bhattacharya,
Ms. Perna Jain & Ms.
Rubeka Daniel, Advs.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

29.10.2025

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CRL.M.A. 544/2020 (for condonation of delay)

1. For the reasons mentioned in the application, the same is allowed.
2. The delay of 22 days in filing the present petition is condoned.
3. The application stands disposed of.

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4. The present petition is filed seeking leave to appeal against the judgment dated 02.09.2019, passed by the learned Additional Sessions Judge, Karkardooma Courts, Delhi, pursuant to which the Respondent was acquitted for offences under Section 397 of the Indian Penal Code, 1860 ('IPC') and Sections 25/27 of the Arms Act, 1959.
5. The learned Additional Public Prosecutor for the State submits that the learned Trial Court erroneously acquitted the respondent for offence under Section 397 of the IPC by noting



that there was no evidence to show that the knife recovered was used to cause grievous injury or attempt was made to cause death while committing the offence.

6. She submits that the learned Trial Court itself, while convicting the respondent under Sections 392/394 of the IPC noted that the victim had sustained injuries and incise wounds were sustained. She submits that the learned Trial Court erroneously mis-interpreted the ingredients of Section 397 of the IPC.

7. The matter requires consideration.

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

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

Criminal Appeal/2025 (to be numbered)

10. The appeal is Admitted.

11. List in due course.

12. None appears for the respondent.

13. Issue Bailable Warrants against the respondent for his appearance before the learned Joint Registrar (Judicial) for a sum of 5,000/- to be executed through the concerned SHO.

14. 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 14.11.2025.

AMIT MAHAJAN, J

OCTOBER 29, 2025

“SS”