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

+ CRL.L.P. 235/2018

THE STATE GOVT OF NCT OF DELHIPetitioner

Through: Ms. Richa Dhawan, APP
for the State with W/SI
Usha Rani, PS J.P. Kalan.

versus

SUBHASH

.....Respondent

Through: Mr. Kartickey Mathur and
Mr. Shankar, Advocates.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

% **22.08.2025**

**CRL.M.A. 6800/2018 (for condonation of delay of 114 days in
filing the leave to appeal)**

1. For the reasons mentioned in the application, the delay of 114 days in filing the present leave to appeal stands condoned.
2. The application stands disposed of.

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3. The present petition is filed seeking leave to appeal against the judgment dated 30.08.2017, passed by the learned Metropolitan Magistrate, South West, Dwarka Courts, pursuant to which the Respondent was acquitted for offence under Sections 279/304A of the Indian Penal Code, 1860.
4. The learned Trial Court acquitted the respondent noting that the testimony of the eye witnesses who stated to have witnessed the incident was not trustworthy.
5. It is undisputed that the respondent had admitted to be involved in the accident which led to death of the victim who was



riding his motorcycle. Respondent also admitted that he ran away after the accident.

6. Matter requires consideration.

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

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

Criminal Appeal/2025 (to be numbered)

9. The appeal is admitted.

10. List in due course.

11. 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 02.09.2025.

AMIT MAHAJAN, J

AUGUST 22, 2025

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