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

+ CRL.A. 274/2025, CRL.M.A. 7026/2025

CRL.M.A. 7027/2025, CRL.M.A. 7028/2025

CRL.M.A. 7029/2025

KHERUN NISA

.....Appellant

Through: Appellant in person with Applicant
Mr. Irfan Javed Qureshi.

versus

STATE OF GNCT DELHI & ORS.

.....Respondent

Through: Mr. Utkarsh, APP for the State with
SI Sandeep Yadav PS Sadar Bazar
Delhi.

Mr. Abhas Mishra, Mr. Hukam
(DHCLSC) for R-2.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

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03.11.2025

1. A Criminal Appeal under Section 372 Cr.P.C (423 BNSS) read with Section 482 Cr.P.C. Cr.P.C (Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023) has been filed on behalf of the Appellant/Complainant/Victim challenging the Judgment and Order dated 11.11.2024, whereby the learned JMFC has **acquitted the Respondent** in case FIR No.385/2007 dated 12.10.2007 under Section 452/324/323/34 IPC registered at Police Station Sadar Bazar, Delhi.

2. Learned APP for State has taken a preliminary Object to the maintainability of the present Appeal under Proviso to Section 372 Cr.P.C



by the Complainant and has asserted that the same should have been filed before the Sessions Court.

3. Section 372 Cr.P.C (Proviso) enables the Complainant/Victim to file an Appeal before the Court. Considering the provisions of Section 372 Cr.P.C (Proviso), the Objection taken has merit and therefore, the Appeal is directed to be disposed of with liberty to the Petitioner to file the same before the Court of Sessions, in accordance with law.

4. The Petition stands disposed of accordingly along with the pending Application(s).

NEENA BANSAL KRISHNA, J

NOVEMBER 3, 2025

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