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

+ **CRL.L.P. 513/2016**

BALBIR SINGH

.....Petitioner

Through: **Mr. Sudip Lodh and Mr. B.K. Singh,**
Advocates

Versus

CBI & ORS

.....Respondents

Through: **Mr. Ravi Sharma, SPP with**
Mr. Premtosh K. Mishra, Mr. Swapnil
Choudhary, Mr. Ishann Bhadwaj,
Mr. Shivam Mishra and
Ms. Madhulika Rai Sharma,
Advocates

Mr. Suyash Sinha, Mr. Abimanyu
Singh and Ms. Rachna Kataria,
Advocates for R-8 & 9

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

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16.05.2025

CRL.M.A. 14803/2016

1. Application under Section 5 of the Limitation Act read with Section 482 Cr.P.C. has been filed on behalf of the Victim Balbir Singh seeking condonation of delay of 32 days in filing the Appeal to challenge the acquittal of the Respondents in RC No. 4(S)/95/DLI/CBI/N.D. wherein the Respondents had been acquitted *vide* judgment dated 19.12.2015.
2. For the reasons stated in the Application, the delay of 32 days in filing the present appeal is condoned.
3. The Application is disposed of.



CRL.L.P. 513/2016

4. Criminal Leave Petition has been filed under Section 378(4) of the Code of Criminal Procedure, 1973 in the CBI case wherein it is submitted that there was an FIR registered against the Victim in FIR No. 473/1992 under Section 186/353 of the Indian Penal Code, 1860 on the allegations that the Applicant had obstructed the Police in discharge of their duty. However, the Applicant and the family members were detained by the Police under custody. Sh. Jaswant Singh died in custody. Inquest was carried out by the SDM.

5. On the Petition filed by the Complainant before the High Court, the FIR was directed to be registered against the Police Officials. The FIR was registered. Two cases were tried simultaneously in the FIR No. 473/1992. The learned Trial Court found that the Applicant and the others were not guilty and were acquitted. At the same time, certain observations were made of they having been subjected to custodial torture. Despite this, in the present case, which was tried alongside, the Respondents have been acquitted.

6. Considering the grounds taken, the leave to Appeal is allowed.

7. The Petition stands disposed of accordingly.

CRL.A. _____ (TO BE NUMBERED)

8. Be listed for arguments on 16.09.2025.

NEENA BANSAL KRISHNA, J

MAY 16, 2025

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