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

+ CRL.L.P. 223/2025 & CRL.M.A. 10556/2025, CRL.M.A. 10557/2025, CRL.M.A. 10558/2025, CRL.M.A. 24848/2025

BRIG RETD MADANLAL NASA

DIED THROUGH LR

.....Petitioner

Through: Mr. Chander M.Maini,
Mr. B.K.Wadhwa, Mr.
Mayank Maini, Mr. Biman
Sethi, Mr. Ankit Verma
and Ms. Nidhi Tyagi,
Advocates.

versus

STATE NCT OF DELHI & ORS.

.....Respondents

Through: Mr. Sunil Kumar Gautam,
APP for the State.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

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16.10.2025

1. The present leave to appeal is filed under Section 419(4) of the Bharatiya Nagarik Suraksha Sanhita, 2023 ('BNSS') against the judgment dated 11.07.2023, passed by the learned Metropolitan Magistrate, New Delhi District, Patiala House Courts, New Delhi in Complaint Case No. 44278/2016, whereby Respondents Nos. 2 and 3 were acquitted of the offences under Section 500/501/502 of the Indian Penal Code, 1860 ('IPC').
2. The present petition is filed by the legal representatives of the victim/complainant. Victim / complainant is not required to seek leave to challenge the order of acquittal and is entitled to maintain an appeal under Section 413 of the BNSS (earlier Section 372 of the Code of Criminal Procedure, 1973).



3. In terms of the proviso to Section 413 of the BNSS, such an appeal would lie before the learned Court of Sessions.
4. In view of the above, the present matter is disposed of with direction that the present petition be treated as an appeal by the concerned Court of Sessions and numbered accordingly.
5. The Registry is directed to transfer the entire record of the case to the concerned appellate Court of Sessions.
6. List before the concerned Appellate Court of Sessions on 20.11.2025.
7. A copy of this order be communicated to the concerned Principal District and Sessions Judge for information and compliance.

AMIT MAHAJAN, J

OCTOBER 16, 2025

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