



\$~20

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

+ **CRL.L.P. 475/2018**

STATE ( NCT OF DELHI)

.....Petitioner

Through: Ms. Richa Dhawan, APP  
for the State  
SI Prashant Kumar, PS-  
Prashant Vihar

versus

TEJENDER SINGH

.....Respondent

Through: Mr. Faraz Maqbool  
(DHCLSC) & Ms.  
Deepshikha, Advs.

**CORAM:**

**HON'BLE MR. JUSTICE AMIT MAHAJAN**

**ORDER**

% **07.08.2025**

**CRL.L.P. 475/2018**

1. The prosecution challenges the judgment dated 30.01.2018 passed by the learned Metropolitan Magistrate, acquitting the respondent for offences under Sections 279/304A of the Indian Penal Code, 1860 and Sections 3/181 of the Motor Vehicles Act, 1988.
2. It is alleged that on 16.05.2004, when the respondent was driving RTV vehicle bearing No. DL-1-VA-3823 in rash and negligent manner, caused the death of the victim, namely, Shakuntala Nagpal.
3. The learned Additional Public Prosecutor for the State submits that the respondent, admittedly, did not have any valid driving license.
4. She submits that in such cases, it has to be presumed that



when the driver is not authorized to drive, the act of driving is itself rash and negligent.

5. The matter requires consideration.

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

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

**Criminal Appeal ...../2025 (to be numbered)**

8. The appeal is Admitted.

9. List in due course.

10. It is pointed out that complete LCR has not been filed before the Court.

11. Let digitized copy of the complete LCR be also requisitioned.

12. 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 13.08.2025.

**AMIT MAHAJAN, J**

**AUGUST 7, 2025**

**“SS”**