



\$~10

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

+ **CRL.L.P. 804/2018**

STATE

.....Petitioner

Through: Mr. Sunil Kumar Gautam,
APP for the State
SI Mahendra Patel, PS-
Narela

versus

ANIL DAHIYA

.....Respondent

Through:

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

%

16.09.2025

CRL.M.A. 48827/2018 (for condonation of delay)

1. For the reasons mentioned in the application, the same is allowed.
2. The delay of 39 days in filing the appeal is condoned.
3. The application stands disposed of.

CRL.L.P. 804/2018

4. The present petition is filed seeking leave to appeal against the judgment dated 23.07.2018, passed by the learned Metropolitan Magistrate, North District, District Courts Rohini, Delhi, pursuant to which the Respondent was acquitted for offences under Sections 279/337/338/304A of the Indian Penal Code, 1860.
5. The learned Trial Court acquitted the respondent holding that PW-6 and PW-7 who were also passengers in the offending vehicle, were sitting in the rear seat and, therefore, their capacity to see precisely the incident, is doubtful. It is undisputed that PW-6 and PW-7 were known to the accused and were travelling



with him in the offending vehicle which hit the two-wheeler on which the victim was riding.

6. No defence seems to have been taken with regard to the false implication of the accused by PW-6 and PW-7.

7. The matter requires consideration.

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

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

Criminal Appeal/2025 (to be numbered)

10. The appeal is Admitted.

11. List in due course.

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 22.09.2025.

AMIT MAHAJAN, J

SEPTEMBER 16, 2025

“SS”