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

+ CRL.A. 329/2019

PRAMILA

.....Appellant

Through: Appearance not given.

versus

THE STATE GOVT OF NCT OF DELHI & ORSRespondents

Through: Mr. Sunil Kumar Gautam, APP for
the State with S.I. Ashok Kumar, P.S.
Sarojini Nagar.

CORAM:

HON'BLE MS. JUSTICE CHANDRASEKHARAN SUDHA

ORDER

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20.01.2026

1. This is an appeal against the judgment dated 29.11.2017 passed by the Metropolitan Magistrate (Mahila Court), Saket Court by which the respondent nos. 2 to 4 were acquitted for the offences punishable under Sections 498A, 406 and 34 IPC.

2. The learned Additional Public Prosecutor brings to my notice that the appeal as per the proviso to Section 372 of the Code of Criminal Procedure, 1973 can be filed only before the Sessions Court and not before this Court.



3. Section 372 and the proviso reads thus:

“372. No appeal to lie unless otherwise provided.

- No appeal shall lie from any judgment or order of a Criminal Court except as provided for by this Code or by any other law for the time being in force.

[Provided that the victim shall have a right to prefer an appeal against any order passed by the Court acquitting the accused or convicting for a lesser offence or imposing inadequate compensation, and such appeal shall lie to the Court to which an appeal ordinarily lies against the order of conviction of such Court.]”

(Emphasis Supplied)

4. In such circumstances, the present appeal will lie before the Sessions Court concerned.

5. Hence, the appeal is sent to the Sessions Court concerned for consideration.

6. The appellant shall appear before the Sessions Court on 10.03.2026.

CHANDRASEKHARAN SUDHA, J

JANUARY 20, 2026/rs