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

+ **CRL.A. 454/2026**

BALBIR SINGH

.....Appellant

Through: Mr. Rajat Wadhwa, Mr. Sahil Kakkar,
Ms. Anshika Juneja, Mr. Abeer
Shandilya and Mr. Harshvardhan,
Advocates.

versus

KAMALJIT KAUR

.....Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

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05.05.2026

CRL.M.A. 14006/2026 (for condonation of delay of 24 days in filing the appeal)

1. For reasons mentioned therein, the application is allowed and delay in filing the appeal is condoned.

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2. Appellant has assailed order dated 28.01.2026 of the learned trial court, whereby his application under Section 340 CrPC was dismissed as premature.

3. After addressing partly, learned counsel for appellant seeks permission to withdraw this appeal with liberty to file fresh application under Section 340 CrPC before the trial court at appropriate stage when the challenged evidence is brought on record.

4. As requested, the appeal is dismissed as withdrawn with liberty as sought.

GIRISH KATHPALIA, J

MAY 5, 2026/dr