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

\# **CNR No. DLHC012720592017**

\+ CRL.L.P. 383/2017

STATE GNCT OF DELHI .....Petitioner

Through: Mr.Aman Usman, APP with Mr.Manvendra Yadav, Adv. along with Insp. Amit Kumar & SI Shikha, PS Badarpur.

versus

MANOHAR GUPTA .....Respondent

Through: Mr.B. Badrinath, Adv. (DHCLSC) with Mr.Dhruv Bhardwaj, Adv.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA
HON'BLE MR. JUSTICE ARUN BHARDWAJ

O R D E R

% 19.11.2026

CRL.M.A. 10837/2017

1. This application has been filed seeking condonation of 24 days' delay in filing the accompanying leave petition.

2. Having perused the contents of the application, the delay is condoned and the application is allowed.

CRL.L.P. 383/2017

3. The present application has been filed under Section 378(3) of the Code of Criminal Procedure, 1973 (in short, 'Cr.P.C.'), seeking leave to appeal against the order of acquittal dated 30.07.2016 passed by the learned Additional Sessions Judge-01 South East District, Saket Courts, Delhi in Sessions Case No.177/2013, arising out of FIR No.286/2013 registered under Sections 354/376/511 of the Indian Penal Code, 1860 and Sections 6/8 of the Protection of Children from Sexual Offences Act, 2012 at Police Station Badarpur.

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4. At the outset, we would note that, as the respondent was not traceable, we had, by our order dated 14.07.2026, appointed Mr. Badrinath Balasubramanian, learned counsel, as an *Amicus Curiae* to represent the interest of the respondent. We had also directed the IO to paste a copy of the order appointing the learned *Amicus Curiae* for the respondent at the last known address of the respondent and to file a report in this regard before us.

5. The learned APP points out that the said direction has been duly complied with, and that a Status Report dated 13.11.2026 has been filed in this regard.

6. The learned APP has also taken us through the statement of the victim (PW-1), the statement of the victim recorded under Section 164 of the Cr.P.C., as also the statement of the mother of the victim (PW-3). Having perused the same, we find that sufficient grounds have been made out to grant leave to appeal.

7. Accordingly, the present application is allowed.

8. The Registry is directed to renumber the present petition with the nomenclature of CRL.A. The Paper Book of the same be also prepared.

9. List for hearing on 15th February, 2027.

10. The family of the victim shall also be informed of the next date of hearing of the appeal by the IO.

NAVIN CHAWLA, J

ARUN BHARDWAJ, J

NOVEMBER 19, 2026*/rv/Yg*

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