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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.L.P. 690/2017
THE STATE GOVT OF NCT OF DELHIPetitioner
Through: Mr. Shoaib Haider, APP for State.
SI Sunder Singh, P.S. Nangloi.

versus

SURENDER @ SURANJAN & ORSRespondents
Through: Mr. Brijesh Kumar Sharma, Advocate
for R- 1to 3

CORAM:
HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

% **ORDER**
12.01.2026

By way of the present leave petition filed under section 378 of the Code of Criminal Procedure 1973, the petitioner/State seeks leave to appeal against judgment dated 03.08.2017 passed by the learned Additional Sessions Judge/Special Fast Track Court, North District, Rohini Courts, Delhi, whereby the respondents have been acquitted of the offences arising from case FIR No. 941/2007 dated 08.12.2007 registered under sections 363/34 of the Indian Penal Code, 1860 ('IPC') at P.S.: Nangloi, Delhi.

2. Pursuant to the registration of the FIR, a charge-sheet was filed, which subsequently culminated in the framing of the following charges: (i) charges were framed against respondent No.1 Surender @ Suranjan under sections 363/387/376(2)(g) and section 368 read with section 34 of the IPC; (ii) (i) charges were framed against respondent



No. 2 - Sunita under sections 368 read with 34 and section 376 read with section 108 of the IPC; and (iii) (i) charges were framed against respondent No.3 – Raj Kumar @ Rukma under section 376(2)(g) of the IPC.

3. After a full-dressed trial however, the learned sessions court has acquitted *all* 03 accused persons of *all* the offences that they were charged with, after a detailed consideration of the depositions and the evidence that came on record in the course of trial.
4. This court has heard Mr. Shoaib Haider, learned APP appearing for the State; and has also perused the impugned judgment.
5. Other things apart, a perusal of the deposition of the prosecutrix, who appeared as PW-3 before the learned sessions court, shows that her statement is rife with contradictions and inconsistencies. Such inconsistencies have also been noted by the learned sessions court in the judgment of acquittal.
6. Furthermore, in the concluding para of the impugned judgment, the learned sessions court has *inter-alia* observed as follows:

“79. Thus, after going through the material on record, I am of the considered view that the possibility of false implication of the accused persons, in the present case by the father of the prosecutrix cannot be ruled out. I am of the considered view that prosecution has not been able to bring home guilt of the accused, beyond reasonable doubt.”

7. Upon a conspectus of the fact and circumstances of the case, this court is of the view that there exists no justification or reason to grant to the State leave to appeal against the impugned judgment dated 03.08.2017, which was the culmination of proceedings initiated by way of an FIR registered on 08.12.2007.



8. In view of the above, the present petition seeking leave to appeal is dismissed.
9. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

JANUARY 12, 2026

V.Rawat