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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.REV.P. 771/2022**
RAVINDER KUMAR MISHRA Petitioner
Through: Ms. Karuna Nidhi, Advocate
versus
THE STATE (NCT OF DELHI) Respondent
Through: Mr. Naresh Kumar Chahar, APP for
the State with SI Durgesh, P.S.
Bindapur.

CORAM:
HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

% **14.11.2022**

CRL.M.A. 23290/2022 (exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

CRL.M.A. 23291/2022 (for condonation of delay for filing of the present petition)

3. The present application under Section 5 of Limitation Act read with Section 482 of the Code of Criminal Procedure, 1973 has been filed by the petitioner for condonation of delay of 08 days in filing the present revision petition.
4. As per the averments made in the application, accordingly, the delay of 08 days, in filing the present revision petition, is condoned.
5. Application stands disposed of.

CRL.M.A. 23292/2022 (for condonation of delay for re-filing of the present petition)

6. The present application under Section 482 of the Code of Criminal Procedure, 1973 has been filed by petitioner for condonation of delay of 88 days in re-filing of the present revision petition.



7. It is stated by learned counsel for the petitioner that due to some personal difficulty, the present revision petition could not be filed. Accordingly, the delay of 88 days, in re-filing the present revision petition, is condoned.

8. Application stands disposed of.

CRL.REV.P. 771/2022 & CRL.M.A. 23289/2022 (for stay)

9. The present revision petition under Section 401 read with Section 482 of the Code of Criminal Procedure, 1973 has been filed by the petitioner for quashing or setting aside the impugned order/judgment dated 07.05.2022 passed by learned ASJ, Dwarka Courts, Delhi in SC No. 58/2022 *vide* FIR bearing no. 857/2021, registered at Police Station Bindapur, Delhi for the offences punishable under Sections 376D/506/377 of Indian Penal Code, 1860.

10. It is stated that the present accused has been charged under Section 376D IPC. It is pointed out that the aforesaid FIR was registered after 20 years of the alleged offence.

11. Issue notice. Learned APP accepts notice on behalf of the State.

12. It is stated that the case is listed today before the learned Trial Court for evidence, therefore, the learned Trial Court is requested to adjourn the matter later than the date fixed by this court.

13. List on 24.02.2023 for arguments. TCR in digitized form be summoned.

14. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

NOVEMBER 14, 2022/zp