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

+ **CRL.REV.P. 27/2024 & CRL.M.A. 398/2024**

MOHD KHALID AHMED

..... Petitioner

Through: Mr. Kunal Malhotra, Mr. Ravinder Gaur, Ms. Aanchal Saini, Mr. B.K. Saini and Ms. Ojasvi, Advocates

versus

THE STATE GOVT OF NCT DELHI

..... Respondent

Through: Mr. Naresh Kumar Chahar, APP for the State along with Mr. Kapil Anand, Mr. Rishabh Kamla, Mr. Kamlesh Vikrant Singh Nagar, Advocates and PSI Pooja Yadav, P.S. Parliament Street

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

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06.05.2024

CRL.M.A. 397/2024 (delay of 39 days)

1. By way of present application under Section 5 of Limitation Act read with Section 482 of Cr.P.C., the applicant seeks condonation of delay of 39 days in filing the present petition. In view of the reasons stated in the application, the delay of 39 days in filing the present petition stands condoned.

2. Application stands disposed of.

CRL.REV.P. 27/2024

3. The instant petition under Section 397 read with Section 401 of the



Code of Criminal Procedure, 1973 ('Cr.PC.') has been filed on behalf of petitioner seeking following prayer:

“a) Call for the Trial Court Record of case bearing no. Cr. Case/42784/2016 titled as State vs. Mohd. Khalid Ahmed in FIR No. 50/2008 dated 23.03.2008 u/s 279, 337, 338, 304A IPC, P/S. Parliament Street, New Delhi.

b) Pass an order setting aside the impugned judgment dated 11.08.2023 passed by Sh. Rajinder Singh, ASJ-06, Patiala House Courts, New Delhi in Criminal Appeal No. 103/2022 titled as Mohd. Khalid Ahmed vs. State in FIR No. 50/2008 dated 23.03.2008 U/S 279, 337, 338, 304A IPC, P/S. Parliament Street New Delhi.”

4. Issue notice. Mr. Naresh Kumar Chahar, learned APP accepts notice on behalf of the State and seeks time to file reply. Let the same be filed prior to next date of hearing.
5. List on 18.07.2024.
6. In the meantime, Trial Court Record in digitized form be summoned for next date of hearing.
7. Let the copy of Trial Court Record be provided to learned counsel for petitioner, since the petitioner is in judicial custody.
8. Nominal roll be called for.
9. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

MAY 6, 2024/ns

[Click here to check corrigendum, if any](#)