



\$~81

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

+ CRL.L.P. 578/2024

MAKISUDDIN

.....Petitioner

Through: Mr. Ravindra Narayan, Advocate
alongwith petitioner.

versus

STATE OF NCT OF DELHI AND ORS

.....Respondents

Through: Mr. Hitesh Vali, APP for the State
with SI Surender Das, .P.S. SJ
Enclave.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

02.12.2024

%

By way of the present leave petition filed under section 419(4) of the Bharatiya Nagarik Suraksha Sanhita 2023, the petitioner seeks leave to appeal judgment dated 02.09.2024 passed by the learned Judicial Magistrate First Class, South District, Saket Courts, New Delhi, whereby the learned Magistrate has been pleased to acquit respondents Nos.2 and 3 of the offences under sections 379/34 of the Indian Penal Code, 1860.

2. Issue notice.
3. Mr. Hitesh Vali, learned APP appears on behalf of the State on advance copy; accepts notice; and seeks time to file status report.
4. Upon the petitioner taking steps, let notice be sent to respondents Nos.2 & 3 by all permissible modes, returnable for the next date.



5. Let status report/reply to the petition be filed within 06 weeks of service; rejoinder thereto, if any, be filed within 04 weeks thereafter, with copies to the opposing counsel.
6. It is not considered necessary to issue notice to respondent No.4 since he is stated to have passed away during the pendency of the trial and proceedings *qua* him stood abated.
7. Re-notify on 06th March 2025.
8. The criminal appeal filed with the leave petition shall be numbered subsequently, subject to the decision on the leave petition.

ANUP JAIRAM BHAMBHANI, J

DECEMBER 2, 2024

V.Rawat