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

+ **BAIL APPLN. 521/2016**

MOHD. SHAHNAWAJ

..... Petitioner

Represented by: Mr. I.B. Jha, Mr. Surendra
Singh, Advs.

versus

THE STATE

..... Respondent

Represented by: Ms. Rajni Gupta, APP with
W/SI Margrita, PS Sangam
Vihar.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

30.08.2016

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By the present petition the petitioner seeks regular bail in case FIR No.362/2015 under Section 376 IPC and Section 8/10 of the POCSO Act registered at PS Sangam Vihar.

The above-noted FIR was registered on the complaint of the mother of the three year old victim who stated that she was residing with her four children including one son and three daughters and her husband was at Bihar for the last one and a half years. She stated that on 7th June, 2015 at about 7.30 PM when she was cooking food on the roof, her neighbour Shahnawaj who also resided in the same house in the adjoining room on rent sat on the wall with her three year old daughter in his lap. He started showing a film to

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her daughter and after 15 minutes she heard her daughter cry. When she asked her daughter the reason for crying she pointed towards her vagina which she found to be red.

The complainant has been examined in the Court who has deposed in sync with her statement on the basis of which FIR was registered and also deposed that the victim a three year old minor girl stated that the petitioner pressed her vagina with his hand and caused pain. On checking her private parts were found to be red.

Considering the allegations against the petitioner I do not find it to be a fit case for grant of bail.

Petition is dismissed.

MUKTA GUPTA, J.

AUGUST 30, 2016
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