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

+ BAIL APPLN. 2438/2016

SUNIL @ MONU

..... Petitioner

Through None.

versus

STATE (NCT OF DELHI)

..... Respondent

Through

Mr.M.S. Oberoi, APP.

Mr.Sudhir Nandrajog, Sr.Adv. with
Mr.Ankur Jain and Ms.Divya Garg,
Adv. for the complainant.

CORAM:

HON'BLE MR. JUSTICE P.S.TEJI

ORDER

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06.02.2017

The present application has been filed under Section 439 Cr.P.C. for the grant of regular bail in FIR No.265/2016, under Sections 363/366/376 IPC and Section 4 of the POCSO Act, Police Station Ranjit Nagar.

During the pendency of the present case, one Aadhar Card was produced by the petitioner showing the age of the prosecutrix as 01.01.1998, whereas as per the copy of Aadhar Card on the police record, it was showing the year of birth and not Date of Birth. Thereafter, the copy of Aadhar Card was sent for verification. As per the verification report, it has been submitted that as per the school record, actual date of birth of the prosecutrix is 14.08.1998 whereas on the second copy of the Aadhar Card, the date of birth is shown as

01.01.1998 which is auto generated. As no date is filled up by the applicant in the application for the purpose of applying for Aadhar Card, it automatically generates the first of January of the relevant year as the date.

After filing the present bail application, the matter was adjourned from time to time. It came up for hearing on 10.01.2017 when nobody appeared for the petitioner. Thereafter on 31.01.2017 when again nobody appeared for the petitioner and today again nobody appeared on behalf of the petitioner. It shows that the petitioner does not want to prosecute the present bail application.

Consequently, the present bail application is dismissed for non-prosecution.

P.S.TEJI, J

FEBRUARY 06, 2017
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