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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 4704/2017

RAJEEV KUMAR SHARMA

..... Petitioner

Through: Mr.B.S.Chowdhary, Advocate

versus

STATE (NCT OF DELHI)

..... Respondent

Through: Mr. Kamal Kr. Ghei, APP for State
with SI Prabha, PS Karol Bagh,
Investigating Officer of the case.

CORAM:

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

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14.12.2017

The prosecutrix of the case FIR No.583/2015, under Section 376 IPC r/ w Section 6 POCSO Act, Police Station Karol Bagh is also present and is duly identified by the Investigating Officer of the case.

Vide the present petition, the petitioner had sought a direction to the learned trial court seeking expeditious trial with a direction to conclude the trial within a period of six months from the date of the direction submitting *inter alia* that the prosecutrix is deliberately not appearing.

Vide order dated 15th November, 2017, the Investigating Officer was directed to ascertain the medical fitness of the prosecutrix and to submit a report in relation to the aspect as to why the prosecutrix was not being examined. Vide order dated 15.11.2017, the prosecutrix was directed to be present in person today along with her spouse and she is present today with her spouse, Sh. Somnath

Shukla, as also identified by the Investigating Officer of the case.

A status report that has been submitted by the State *inter alia* indicates to the effect that as forwarded by the SHO Police Station Kaori Bagh, dated 13.12.2017, that the prosecutrix had not appeared before the trial court due to her illness and that she has been receiving treatment from Ibastha, Bhagwan Mahavir Hospital and Deep Chand Bandhu Hospital, Delhi and that the statement of the complainant and her husband have been recorded by the Investigating Agency and that they have been informed of the direction of the Court and they are also aware that the matter is pending before the Additional Sessions Judge, Tis Hazari Court, Delhi with the next date of hearing being 19.2.2018.

The prosecutrix in reply to a specific court query affirms that she would be present before the learned Trial Court on the date 19.2.2018.

In view thereof, no further action is necessitated qua the present petition.

The petition is disposed of.

ANU MALHOTRA, J

DECEMBER 14, 2017/sv