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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ BAIL APPLN. 1518/2018 & CrI.M.A. 11877/2018
ROHIT Petitioner

Through: Mr. M.P. Sinha, Adv.

versus

STATE (DELHI ADMINISTRATION) Respondent
Through: Mr. Ashish Dutta, APP for the State
with WSI Maya Devi. PS Nihal
Vihar.

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

% **04.07.2018**

By the order dated 22.05.2018, the Special Judge has found sufficient evidence on record to put the applicant on trial on the charge for offences under Sections 363/366/376 IPC and Section 6 of POCSO Act, 2012. The prosecutrix is described as a girl of 15 years 9 months age. She may have made a statement indicating her own willingness to go with the applicant during proceedings under Section 164 Cr.P.C. but that by itself is no reason why the grave charges involving aggressive penetrative sexual assault ought to be ignored. It has to be borne in mind that in case of such nature, the consent of the minor prosecutrix is inconsequential. The view taken by the learned single judgment in CrI.Rev. 266/2014 is distinguishable on facts.

No case for release on bail is made out at this stage of the trial.

Dismissed.

R.K.GAUBA, J

JULY 04, 2018/nk