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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 2339/2018, CRL.M.A. 33567/2018**
AVINASH Petitioner

Through: Mr. D.N. Tripathi, Mr. Rohit Pandey
and Mr. Beerendra Singh, Advocates.

versus
STATE OF NCT OF DELHI Respondent

Through: Mr. Amit Chadha, APP for State with
SI L. Kipgen, PS-R.K. Puram.

CORAM:
HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER
% **05.10.2018**

The petitioner seeks regular bail in case FIR No. 0135/2017 registered under section 363 IPC and section 8 of POCSO Act, 2012 at Police Station R.K. Puram. The victim is stated to be less than 15 years old. It is stated that statements of public witnesses are yet to be recorded and for this purpose, the case is listed before the Trial Court on 05.12.2018.

It is the petitioner's case that he has been incarcerated for more than 17 months against a maximum punishment of five years for the alleged offence. He claims to be innocent of all charges.

The petitioner's earlier two applications seeking bail have been dismissed by the learned Trial Court on the ground that the witnesses are vulnerable and till their statements are recorded, it could not be prudent to release the petitioner on bail.

The learned Additional Public Prosecutor for the State opposes the

bail. However, he submits, upon instructions, that every endeavour would be made to have the statements of the minor and other public witnesses recorded by the end of January, 2019 and a request to this effect shall be made before the learned Trial Court concerned.

In view of the above, the learned counsel for the petitioner does not press the petition. Accordingly, it is dismissed as withdrawn.

NAJMI WAZIRI, J

OCTOBER 05, 2018

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