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

+ **BAIL APPLN. 2441/2017**

**MOHIT**

..... Petitioner

Represented by: Mr. Jitender Tyagi and Mr.  
Rishi Bhardwaj, Advocates.

versus

**THE STATE GOVT OF NCT OF DELHI**

..... Respondent

Represented by: Mr. Amit Gupta, APP for State  
with SI Rakesh Kumar, PS  
Amar Colony.

**CORAM:**

**HON'BLE MS. JUSTICE MUKTA GUPTA**

**ORDER**

**22.03.2018**

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1. By this petition the petitioner seeks bail in case FIR No. 306/ 2013 under Section 376 IPC and Sections 5 and 6 of the Protection of Children from Sexual Offence Act (in short 'POCSO Act') registered at PS Amar Colony.
2. Having heard learned counsels for the parties and perusing the statement of the prosecutrix who was aged six years at the time of incident, this Court finds no ground to grant bail to the petitioner however, as per the record, the petitioner was arrested on 22<sup>nd</sup> August, 2013, though learned counsel for the petitioner claims that he was kept in illegal confinement and arrested earlier.
3. Learned APP for the State submits that the alleged incident took place at 9.00 PM on 21<sup>st</sup> August, 2013 and the FIR in question was registered on 22<sup>nd</sup> August, 2013 on an information received at 3.15 hours. Thus the petitioner could not have been arrested prior to registration of the FIR.

4. A perusal of the record also reveals that the statement of the prosecutrix was recorded in January, 2015 and despite the fact that the petitioner is now in custody for more than 4½ years, the trial has not concluded.

5. Petition is disposed of with direction to the learned Trial Court to expedite the trial and conclude the same preferably within a period of three months from the next date of hearing.

6. Order dasti.

**MUKTA GUPTA, J.**

**MARCH 22, 2018**

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