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

+ CRL.A. 780/2018

DEV KUMAR YADAV @ DEVA Appellant

Through Mr. Adit S. Pujari with Ms. Surabhi
Dhar, Advocates.

versus

STATE Respondent

Through Ms. Meenakshi Dahiya, APP for the
State.
SI Suresh Pal, PS Keshav Puram.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% **08.02.2019**

Crl.M.(Bail) 1190/2018 (for suspension of sentence)

1. This appeal was admitted by order dated 30.07.2018. Thereafter, while considering the application for suspension of sentence, one issue was raised by the learned counsel for the petitioner that the claim of juvenility had not been completely determined by the Trial Court. Accordingly, directions were issued to the Investigation Officer to conduct an inquiry as the ages of the siblings of the petitioner, as mentioned in *Social Report of Juveniles in Conflict with Law*.

2. The inquiry report has been filed, however, the same indicate that no proof of age of any of the siblings could be found out by the Investigation Officer.

3. Learned counsel for the petitioner submits that in view of the

manner of examination and cross-examination of the witnesses, petitioner seeks to move an appropriate application, in terms of the judgment of a Division Bench of this Court in *State vs. Sanjay Kumar Valmiki*: (2014) 3 AD Del 505, for recall of the witnesses for the purposes of cross-examination.

4. At request, re-notify on 27.02.2019.

SANJEEV SACHDEVA, J

FEBRUARY 08, 2019
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