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

+ **BAIL APPLN. 616/2024 & CRL.M.A. 5418/2024**

SUMIT CHAUDHARY

..... Petitioner

Through: Mr. Shyam Babu and Mr. Kunal
Madan, Advocates.

versus

STATE

..... Respondent

Through: Mr. Sanjeev Sabharwal, APP for State

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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20.02.2024

1. By way of present application filed under Section 439 Cr.P.C., the petitioner/applicant seeks regular bail in FIR No.117/2023 registered under Sections 376/380/506 IPC at P.S. Pahar Ganj, New Delhi.
2. It is noted that the earlier bail application of the applicant being BAIL APPLN. 2392/2023 was dismissed as withdrawn vide order dated 01.12.2023 passed by a Coordinate Bench of this Court, with liberty to approach the trial court, as the prosecutrix was under examination.
3. Learned counsel for the applicant states that the applicant had preferred a bail application before the trial court however, the same came to be dismissed as the testimony of the prosecutrix remained to be recorded. He submits that the prosecutrix has been partly examined and has not been appearing before the trial court. A copy of the dismissal order dated 06.01.2024 has also been placed on record.
4. Considering that examination of prosecutrix is yet not complete, the present bail application is disposed of with the direction that the Trial Court



shall ensure that the examination of the prosecutrix is concluded at the earliest.

5. The petitioner shall be at liberty to move a fresh bail application thereafter.

MANOJ KUMAR OHRI, J

FEBRUARY 20, 2024/*rd*