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

+ **BAIL APPLN. 730/2024**

SONU YADAV

.....Petitioner

Through: Mr. Gaurav Tyagi, Mr. Abhishek Khare, Mr. Deepanshu, Mr. Jatin Nagar and Mr. Gaurav Bidhuri, Advocates.

versus

STATE

.....Respondent

Through: Mr. Hemant Mehla, APP for the State with SI Ankur, PS Mundka.
Ms. Astha, Advocate (DHCLSC) with victim.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

18.07.2024

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1. The Application under Section 439 of CrPC has been filed on behalf of the petitioner, for grant of Regular Bail in FIR No. 608/2020 under Sections 376/506 IPC and 06 POCSO Act, registered at Police Station Mundka.

2. It is submitted that the petitioner is 20 years old person who is a daily wager and had no criminal antecedents. At the time of the alleged incident, he was 19 years old boy. He is a peace-loving and law-abiding citizen of India having deep roots in the society belonging to a financially poor but respectful family with no criminal antecedents. The FIR got registered against him under Sections 376/506 IPC and 06 POCSO Act, on 29.12.2020.



The investigations have already been completed and the Charge-Sheet has been filed. The examination of all the witnesses has been completed. The petitioner is in jail since last more than three years. It is, therefore, submitted that he be granted bail.

3. Learned APP for the State, submits that the prosecutrix has fully supported the case of the prosecution and her testimony is fully corroborated by the FSL Report. The bail is, therefore, opposed. The complainant is present in the Court along with the learned counsel. It is submitted that considering the tender age of the prosecutrix, the bail be denied to the petitioner.

4. **Submissions heard.**

5. The petitioner was a young boy of 19 years while the complainant also was 15 years old. The prosecution witnesses have been examined. Considering the incarceration of the petitioner for last about 3 years and also that the trial is at its final stage, the petitioner is admitted to bail on the following conditions:-

- a) The petitioner/accused shall furnish a personal bond of Rs.20,000/- and one surety of the like amount, subject to the satisfaction of the learned Trial Court.
- b) The petitioner/accused shall appear before the Court as and when the matter is taken up for hearing.
- c) The petitioner/accused shall provide mobile number to the IO concerned which shall be kept in working condition at all times and he shall not change the mobile number, without prior intimate to the Investigating Officer concerned.
- d) The petitioner/accused shall not indulge in any criminal activity



and shall not communicate with or come in contact with the witnesses.

e) The petitioner/accused shall not leave the country, without permission of this Court.

f) The petitioner/accused shall not change his residential address and in case of change of the residential address, the same shall be intimated to this Court, by way of affidavit.

g) The petitioner/accused shall not go near the prosecutrix and would not establish any kind of contact or threat.

6. The Petition is disposed of.

NEENA BANSAL KRISHNA, J

JULY 18, 2024/RS