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

+ BAIL APPLN. 833/2024

SADIQUE MALIK

..... Petitioner

Through: Mr. Ankit Kumar Vats, Mr. Nikhil
Anand and Mr. Priyanshu Jaiswal,
Advocates.

versus

STATE NCT OF DELHI & ANR.

..... Respondents

Through: Ms. Meenakshi Dahiya, APP for State
with SI Ashish, P.S. Shaheen Bagh.
Ms. Anuradha Singh, Advocate for
Complainant.

CORAM:

HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

ORDER

17.05.2024

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1. An application under Section 439 read with Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been preferred on behalf of the petitioner for grant of regular bail in FIR No. 0199/2022, under Sections 506/354D IPC and Section 12 POCSO Act, registered at PS: Shaheen Bagh. Chargesheet has been filed under Sections 354D/506/363/328 IPC and Section 12 POCSO Act.
2. Learned APP for State informs that statement of prosecutrix is yet to be recorded and is fixed for 24.07.2024 before learned Trial Court.
3. Learned counsel for petitioner submits that testimony of complainant / victim could not be recorded, since FSL report has not been received since October, 2022.
4. Considering the facts and circumstances, Director, FSL is directed to ensure that FSL report is forwarded to the learned Trial Court within a



period of three weeks from the date of receipt of this order. Learned Trial Court shall further make an endeavour to record the statement of victim in a time bound manner.

5. At this stage, learned counsel for petitioner seeks to withdraw the application without prejudice to his rights and contentions and with liberty to file afresh, in case, FSL report is not filed before learned Trial Court and statement of prosecutrix is not recorded on account of non-filing of FSL report.

6. Taking the statement of learned counsel for petitioner on record, application is accordingly disposed of. Pending applications, if any, also stand disposed of.

A copy of this order be forwarded to Director, FSL, through IO / SHO, PS: Shaheen Bagh as well as learned Trial Court for compliance.

ANOOP KUMAR MENDIRATTA, J.

MAY 17, 2024/R