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

+ **CRL.L.P. 150/2019**

STATE (GNCT OF DELHI)

.....Petitioner

Through: Mr.Naresh Kumar Chahar,
APP for the State with SI
Suneet Kumar, PS
Shalimar Bagh.

versus

BAL CHAND

.....Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

11.12.2024

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1. None appears for the respondent.
2. The learned Additional Public Prosecutor for the State submits that the victim was only 10 years old at the time of the incident. He submits that the victim has supported the case of the prosecution in her examination.
3. He submits that the learned Trial Court has acquitted the accused essentially on the ground that there has been some contradiction in the testimony of the witnesses.
4. He submits that when the prosecutrix has supported the case of the prosecution and was not cross-examined in regard to the contradiction as pointed out in the testimony of the other witnesses, the accused could not have been acquitted.
5. He submits that there is no reason for a 10 year old to falsely implicate the accused.
6. The matter requires consideration.
7. The leave to appeal is granted.



8. In view of the above, the present petition is disposed of.
9. The petition be numbered as CRL.A. (to be numbered)
CRL.A. (to be numbered)
10. Today none appears for the respondent.
11. Issue bailable warrants for a sum of 5,000/- against the respondent, to be executed through the concerned SHO.
12. List on 07.05.2025.

AMIT MAHAJAN, J

DECEMBER 11, 2024

'KDK'

At this stage, Ms. Dolly Sharma and Mr. Sumer Kumar Sethi, learned counsel appear for the respondent.

It is submitted that they were on their legs in another Court when the matter was called.

Considering the above, the bailable warrants are withdrawn.

List the matter before the concerned Joint Registrar (Judicial) for furnishing fresh bail bond for a sum of 25,000/- with one surety of the like amount, by the respondent on 27.02.2025.

List before the Court on 07.05.2025.

AMIT MAHAJAN, J

DECEMBER 11, 2024

'KDK'