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

+ **CRL.L.P. 262/2023 & CRL.M.A. 13277/2023**

STATE

.....Petitioner

Through: Mr. Mukesh Kumar, APP with WSI
Ankita PS S J Enclave.

versus

MEENAKSHI RAWAT & ANR.

.....Respondents

Through: Mr. Ravi Menta, Adv. for R-1 & 2.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE AMIT SHARMA

ORDER

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29.08.2024

1. This hearing has been done through hybrid mode.

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2. The present application has been filed under Section 5 of the Limitation Act read with Section 482 of Cr.P.C. seeking condonation of delay of 191 days in filing the present leave petition.

3. Considering the averments made in the application, the same is allowed and disposed of accordingly.

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4. The present leave petition has been filed by the State under Section 378 of Cr.P.C. seeking leave to challenge the impugned judgment of acquittal dated 24th March, 2022 passed by Id. Additional Sessions Judge (FTSC) POCSO, South District, Saket Court Complex, New Delhi in *Sessions Case No.195/2017* titled *State v. 'MR' and Anr.* in *FIR No.591/2016* registered at P.S. Safdarjung Enclave under Sections 376/34 IPC and Section 6 of POCSO Act, by which the accused/Respondents *i.e.*, the mother and uncle (*mausa*) of



the survivor have been acquitted by the Trial Court.

5. The Court has perused the testimony of the survivor and is of the opinion that this is a fit & proper case to grant leave to appeal. Accordingly, leave to appeal is granted.

6. The present criminal leave petition is disposed of.

CRL.A...../2024 (to be registered)

7. Let the same be registered as a criminal appeal and the Registry is directed to number it accordingly.

8. Ld. counsel for the accused/Respondents has entered appearance and accepts notice of the admission of the appeal.

9. The Registry is directed to requisition the TCR and prepare the appeal paperbook with proper indexing, pagination and bookmarks expeditiously and provide digitized copies thereof to learned Counsels appearing on behalf of the parties, upon request. Let the TCR be tagged along with this appeal by the next date of hearing.

10. Considering the nature of the matter, let the parties obtain the electronic copy of the Court record from the Registry and file written synopsis along with judgments, if any, they wish to rely upon at least one week before the next date of hearing.

11. In the meantime, the accused/Respondent Nos. 1 and 2 shall appear before the Joint Registrar (Judicial) and be admitted to bail on their furnishing of personal bonds in the sum of Rs.10,000/- as also one surety each of the like amount to the satisfaction of the Id. Joint Registrar (Judicial).



12. List before the Joint Registrar for the purpose of accepting and verifying the personal bond and surety on 19th September, 2024.
13. List before the Court on 6th November, 2024.

PRATHIBA M. SINGH, J.

AMIT SHARMA, J.

AUGUST 29, 2024/dk/ms/sc