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

+ **BAIL APPLN. 1261/2024**

G.S.

.....Petitioner

Through: Counsel for petitioner (appearance
not given)

versus

STATE (NCT OF DELHI)

.....Respondent

Through: Mr. Amit Ahlawat, APP for the State
with SI Rooma Yadav, PS Nangloi.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

18.07.2024

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1. The Bail Application under Section 439 of CrPC, 1973 has been filed on behalf of the petitioner seeking grant of Regular Bail during the pendency of the Trial in Case FIR No. 297/2018 under Sections 376AB/506 IPC and Section 6 of POCSO Act.
2. The case of the prosecution is that the victim was a minor girl of eight years, who was living alone with the accused, her maternal grandfather (*Nana*), who had committed forcible penetrative sexual assault on her for 3 to 4 times, after threatening her. The testimony of the victim girl has already been recorded wherein she has given the details of her ordeal.
3. **Learned counsel for the petitioner** submits that there are material contradictions in the statement of the prosecutrix, made at different times. There are different versions given in her complaint, under Section 164



Cr.PC and in the testimony in the Court. There is in consistency about the number of times, she was violated by her maternal grandfather. There are also other contradictions about the person, to whom she first disclosed about the commission of the offence.

4. Learned APP for the State vehemently opposed the bail application and has submitted that the prosecution evidence has been completed and the trial would soon be concluded.

5. **Submissions heard.**

6. Considering the tender age of the child and her relationship with the accused and the gravity of the offence, no case is made out for grant of bail, which is hereby dismissed.

7. The Petition is disposed of.

NEENA BANSAL KRISHNA, J

JULY 18, 2024/RS