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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.L.P. 226/2022

STATE NCT OF DELHI

..... Petitioner

Through: Mr. Tarang Srivastava, APP for the
State with SI Kriti Singh, PS
Welcome.

versus

MUTALIK @ CHAND

..... Respondent

Through: Mr. A.K. Pandey, Advocate with
respondent in person.

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

01.02.2024

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CRL.L.P. 226/2022

1. The present petition has been filed on behalf of the State seeking leave to appeal against the impugned judgment dated 24.07.2020 passed by learned ASJ-06 (POCSO), Shahdara, Karkardooma Courts, Delhi whereby the respondent has been acquitted.
2. It is submitted by learned Addl. P.P. that accused was acquitted of offences under Sections 376 of IPC & 6 of POCSO Act as learned Trial Court was of the view that the prosecution was not able to establish its case beyond reasonable doubt.
3. Notice issued.
4. Learned counsel for respondent accepts notice.
5. In view of the deposition of the prosecutrix aged 4½ years only wherein she has made specific allegations of sexual assault against the respondent, we hereby grant leave to appeal to State.



6. Criminal appeal be registered.
7. In view of the above, the present petition stands disposed of.

Crl. A. No...../2024 (to be registered)

8. Admit.
9. Learned counsel for respondent accepts notice.
10. Paper-book be prepared and e-copy thereof be placed on record before the next date of hearing.
11. Let appellant furnish a complete set of appeal and paper-book to learned counsel appearing on behalf of respondent.
12. Respondent shall appear before the Joint Registrar on 29.02.2024 and be admitted on bail on their furnishing a personal bond in the sum of Rs.10,000/- with one surety of the like amount.
13. Registry is directed to prepare paper-book and e-copy thereof be placed on record before the next date of hearing.
14. List before Court on 15th May, 2024 in the category of 'Final Hearing'.
14. Parties are directed to file written submissions not exceeding five pages with relevant judgments/documents relied upon by them with relevant portion duly highlighted for convenience of this Court within four weeks from today.

SURESH KUMAR KAIT, J

MANOJ JAIN, J

FEBRUARY 1, 2024/st