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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 1409/2024**

HARSH

.....Petitioner

Through: Mr. Kanhaiya Singhal, Mr. Ujwal
Ghai, Ms. Vani Singhal, Mr.
Prosanna, Mr. Ajay Kumar, Mr. Udit
Bakshi, Ms. Deepali Pawar and Mr.
Aditya Saraf, Advocates.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Yudhvir Singh Chauchan and Ms.
Meenakshi Dhaiya, APPs with W/SI
Sumita, P.S. Patel Nagar.
Ms. Hansa, Advocate for
complainant.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

29.07.2024

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1. Matter has been received on transfer.
2. By way of the present application, the applicant seeks regular bail in FIR No. 661/2023 registered under Sections 363/376/506 IPC and Section 6 of the POCSO Act at P.S. Patel Nagar.
3. During the course of submissions, it is informed that prosecutrix is yet to be examined though she has been summoned twice. It is further informed that the next date before the Trial Court is fixed for 04.09.2024 and the prosecutrix is also summoned for the said date. Learned counsel for the applicant apprehends that since the prosecutrix has not appeared for the last two dates, she may not appear on the next date of hearing as well.



4. Considering that the prosecutrix is yet to be examined, the applicant shall be at liberty to press his bail before the Trial Court after the prosecutrix is examined/cross examined. Applicant shall also be at liberty to seek early hearing of the matter before the Trial Court, which shall be considered in accordance with law.

5. Ld. APP for the State, on instructions, states that subject to orders of Trial Court, the IO shall take necessary steps in this regard and summon the prosecutrix on the date to be fixed by the Trial Court.

6. Bail application is disposed of with the aforesaid directions.

MANOJ KUMAR OHRI, J

JULY 29, 2024

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