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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 1863/2023**

MS B THROUGH HER MOTHERPetitioner
Through: **Mr. S.D. Windlesh, Advocate.**

versus

STATE (GOVT OF NCT OF DELHI) & ORS.Respondents
Through: **Mr. Amol Sinha, ASC for State with**
SI Anjali, P.S. Jafrabad.
Mr. Kishtiz Garg, Ms. Chavi Lazarus
and Ms. Sanskriti Nimbekar,
Advocates.

CORAM:
HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

% **12.12.2024**

1. By way of present petition, the petitioner seeks to assail the order dated 23.05.2023 passed by Ld. ASJ-02 (POCSO), Shahdara, Delhi in Session Case No. 70/2023 whereby petitioner's application seeking award of interim compensation to the prosecutrix has been declined.
2. Ld. counsel for the petitioner submits that the charge-sheet stands filed under Sections 354/354A/354D/506/376 IPC and Sections 6/8/12 of the POCSO Act.
2. A perusal of the impugned order would show that the same came to be denied on account of variations/improvements in the statements of prosecutrix.
3. Hon'ble Supreme Court as well as this Court has time and again stated about the factors to be considered while granting interim



compensation. Accordingly, impugned order is set aside with the directions that the matter is remanded back for re-consideration in light of the decisions in Saibaj Noormohammad Shaikh v. State of Maharashtra & Anr. passed in **SLP (CrI.) 13890/2024** as well as X v. State passed in **CRL. A. 63/2022**.

4. In view of the above, petition is disposed of.

MANOJ KUMAR OHRI, J

DECEMBER 12, 2024

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