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

+ **BAIL APPLN. 2275/2024 & CRL.M.A. 19277/2024**

PANKAJ KUMAR GIRI

.....Petitioner

Through: **Ms. Sunita Arora, Adv.**
(DHCLSC)

versus

STATE NCT OF DELHI

.....Respondent

Through: **Mr. Ajay Vikram Singh,**
APP for the State

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

% **05.07.2024**

1. The present application is filed under Section 439 of the Code of Criminal Procedure, 1973 seeking regular bail in FIR No.527/2018 dated 30.12.2018, registered at Police Station Sagar Pur, for the offences under Section 376 of the Indian Penal Code, 1860 and Section 6 of the Protection of Children from Sexual Offences Act, 2012.
2. The learned counsel for the applicant submits that despite being summoned on numerous occasions, the mother of the victim, on whose instance the FIR was registered, is not coming forward for giving a statement.
3. She submits that the applicant is in custody since 13.12.2021 and the trial has not proceeded. She submits that the applicant would be satisfied if liberty is given to file the bail application afresh after the material witnesses are examined.
4. She, however, requests that a direction be also given to the learned Trial Court to expedite the examination of material



witnesses.

5. It is seen that serious allegations have been made against the applicant. The victim is stated to be seven years of age at the time of incident.

6. The petitioner, at the time of incident, was also residing in the neighbourhood of the victim.

7. It is not denied that the FIR was registered on a complaint given by the mother of the victim who is yet to be examined.

8. In view of the above, this Court does not consider it apposite to entertain the present application at this stage. The applicant is at liberty to file a fresh application after the material witnesses have been examined.

9. The learned Trial Court is also requested to expedite the examination of material witnesses.

10. The petition is dismissed with the aforesaid liberty.

AMIT MAHAJAN, J

JULY 5, 2024

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