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

+ **BAIL APPLN. 2440/2024**

MOHD HAIDER ALI

.....Petitioner

Through: Mr. Rais Farooqui and Mr. Anzar
Kamal, Advocates.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Ms. Richa Dhawan, APP
SI Priyanka, PS Ranhola.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

% **16.07.2024**

CRL.M.A. 20491/2024 (Exemption)

Allowed, subject to all just exceptions.

BAIL APPLN. 2440/2024

1. Petitioner has approached this Court seeking bail in FIR No.295/2018, dated 10.04.2018, registered at Police Station Ranhola for offences under Sections 376/354/354(A)/354(B)/506 IPC.
2. It is stated that the Petitioner has been charged for offences under Sections 376 IPC and Section 4 of the POCSO Act and Section 506 IPC and Section 6 of the POCSO Act.
3. Considering the nature of the offences and also considering the fact that the victim is a minor and the Petitioner can tamper with the evidence, this Court is not inclined to grant bail to the Petitioner. At this juncture, learned Counsel for the Petitioner seeks permission to withdraw the present Bail Application. However, he states that in 2019, this Court in Bail



Application No.2152/2019, vide Order dated 29.08.2019 had directed the Trial Court to expedite the hearing of the matter. It is stated by the learned Counsel for the Petitioner that even after 4 years, the victim has not been examined and the victim is not appearing before the Trial Court for tendering her evidence.

4. Considering the fact that the Petitioner is in custody for the last six year and seven months and also the fact that the Prosecutrix has yet not been examined, the Trial Court is once again directed to expedite the examination of the witnesses and more particularly proceed with the examination of the Prosecutrix.

5. Liberty is granted to the Petitioner to file a fresh Bail Application after six months in case the Prosecutrix is not examined by the Trial Court.

6. The Petition is disposed of as withdrawn, along with the pending applications, if any.

SUBRAMONIUM PRASAD, J

JULY 16, 2024

Rahul