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

+ **BAIL APPLN. 3505/2023 & CRL.M.A. 28399/2023**

DHAREMENDER

..... Petitioner

Through: Ms. Aasha Tiwari and Ms. Kusum
Dhalla, Advocates.

versus

STATE OF NCT OF DELHI & ANR.

..... Respondents

Through: Ms. Shubhi Gupta, APP for the State
with SI Sharmila, PS: Kotla Mubarkpur.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

04.04.2024

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1. This is an application preferred on behalf of the applicant Dharmender S/o Sh. Ram Kumar under Section 439 Cr.P.C. seeking regular bail in case FIR No. 283/2020 dated 24.07.2020 under Section 376 IPC and Section 6 of the Protection of Children from Sexual Offences Act, 2012 (POCSO Act) registered at PS: Kotla Mubarakpur.
2. Updated status report is handed over in Court and is taken on record.
3. Learned APP appearing on behalf of the State relying on the status report submits that 08 witnesses have been dropped and 06 witnesses remain to be examined out of which 02 Anil and Rani are *res gestae* witnesses, under the provisions of the Section 6 of the Indian Evidence Act, 1872 and are material.
4. Ms. Aasha Tiwari, learned counsel appearing on behalf of the applicant, on instructions, seeks to withdraw the application with liberty to



approach the Court after Anil and Rani are examined.

5. Application stands disposed of as withdrawn with liberty as prayed for, in accordance with law. Pending application also stands disposed of.

6. Trial Court is requested to expedite the recording of the evidence of the two *res gestae* witnesses namely, Anil and Rani.

JYOTI SINGH, J

APRIL 04, 2024/shivam