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IN THE HIGH COURT OF DELHI AT NEW DELHI

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BAIL APPLN. 2861/2024

MD MUSTAQ @ CHOTU

.....Petitioner

Through: Mr. Shahid Ahmad Khan, Advocate.

versus

THE STATE NCT OF DELHI

.....Respondent

Through: Mr.Sanjeev Sabharwal, APP for State
with SI Vinay, PS Keshav Puram.
Ms.Kaadambari Singh, Amicus Curiae
for the prosecutrix/complainant with
Mr. Mayank Tripathi, Ms. Muskaan
Chawla and Ms. Tanya Singh Kaurav,
Advocates for prosecutrix.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

06.09.2024

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1. Ms. Kadambari Singh, Advocate, appointed as the Amicus Curiae to represent the prosecutrix, submits that, the statement of accused/applicant under Section 313 Cr.P.C. has already been recorded by the learned Trial Court and though the applicant has sought to place the plea of juvenility before the Trial Court, no document in support of the same was placed on record.
2. Learned APP for the State, on instructions from the I.O., also confirms the same.
3. Learned counsel for the applicant submits that the applicant is now seized of the birth certificate and seeks leave to approach the learned Trial Court in support of the plea of juvenility. He also submits that on the basis



of this certificate, he will file appropriate application, which, as and when filed, be considered in accordance with law. He seeks leave to withdraw the present bail application.

4. Leave, as prayed for, is granted. The bail application is dismissed as withdrawn.

MANOJ KUMAR OHRI, J

SEPTEMBER 6, 2024

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