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

+ **CRL.M.C. 6952/2024**

XXX

.....Petitioner

Through: Mr. Amitava Poddar &
Mr. Narvinder Singh,
Advs.

versus

STATE OF NCT OF DELHI & ORS.Respondent

Through: Mr. Naresh Kumar
Chahar, APP for the State.
SI Rakhi, PS Jyoti Nagar.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

% **20.11.2024**

CRL.M.A. 26551/2024 (*exemption*)

1. Exemption allowed, subject to all just exceptions.
2. The application stands disposed of.

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3. The Listing Branch is directed not to mention the name of the petitioner in the cause list and refer it as 'XXX'.
4. The present petition is filed challenging the order dated 14.08.2024, pursuant to which the Respondent No. 2 was granted pre-arrest bail. The petition has been filed essentially on the ground that the family of the accused is threatening and pressurising the prosecutrix.
5. The petitioner alleged that a complaint in that regard was made to the concerned Investigating Officer, however, no action has been taken.
6. Status report has been filed. It is pointed out that during the inquiry, the Call Detail Records (CDR) of the mobile number of the father of the complainant and one family member of the accused, who had allegedly made a threatening call to the petitioner, was looked into. From the analysis of the CDR, it



was found that the first call was made by the father of the victim to the said relative of the accused on 01.08.2024.

7. Thereafter, calls were exchanged between both the persons, out of which, on five occasions calls were made by the father of the complainant and on five occasions, the calls were made by the relative of the accused.

8. The allegations of threat were not substantiated.

9. The Investigating Officer also informs that the family members of the accused were interacted and they had informed that the calls were made by them as well as by the father of the complainant in order to make an endeavour for arriving at some sort of amicable settlement.

10. Chargesheet has already been filed for offences under Sections 313/376 of the Indian Penal Code, 1860 and Section 6 of the Protection of Children from Sexual Offences Act, 2012.

11. The offences alleged are serious and are not compoundable. The conduct of the parties whether it is the family of the complainant or the family of the accused in trying to reach each other for the purpose of settlement can be taken as an effort to influence the witnesses and the same is not permissible.

12. It is not substantiated that any threat to life or liberty has been made by the family of the accused. Further, it is not alleged that the accused has himself extended any threats.

13. In view of the above, this Court does not consider it apposite to entertain the present petition.

14. The petition is, therefore, dismissed.

AMIT MAHAJAN, J

NOVEMBER 20, 2024/“SK”