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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 3719/2024**
MR. BARSATI SINGHPetitioner
Through: Mr.Ram Chandra, Advocate

versus

THE STATE GOVT. OF NCT OF DELHIRespondent
Through: Mr.Nawal Kishore Jha, APP for State

CORAM:
HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER
19.11.2024

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1. By way of the present application, the petitioner/applicant seeks regular bail in FIR No.510/2021 registered under Sections 376/506 IPC and Section 6 of POCSO Act at P.S. Okhla Industrial Area, New Delhi.
2. Learned counsel for the applicant submits that the child victim in the present case is differently-abled insomuch as she has neither hearing nor vocal capacity. He further submits that the complaint came to be registered on the statement of the mother of the child victim, who has made considerable improvements from her initial statement and then in the statement recorded at the time of recording of the MLC. It is also apparent that in one of her statements, she has stated that when she enters the room where the incident had allegedly taken place, the applicant was fully clothed. However, at the time of recording of the MLC, it was not stated that the applicant had committed rape on the child victim.
3. Learned APP for the State, duly assisted by the learned counsel for the complainant, has opposed the bail application. He submits that the child



victim has testified in the Court. It is also stated that the trial has concluded and the matter is at the stage of final arguments.

4. Considering that the matter is now coming up for final arguments and even otherwise, after going through the testimony of the child victim, this Court is not inclined to admit the applicant on bail, as variance, if any, as claimed by the applicant in the statements of the mother of the child victim, would be evaluated by the Trial Court at the time of the conclusion of the trial. Accordingly, the present application is dismissed.

MANOJ KUMAR OHRI, J

NOVEMBER 19, 2024

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