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

+ **CRL.M.C. 2103/2017 & CRL.M.A. 8633/2017**

SHOBHA

.....Petitioner

Through: Dr. L S Chaudhary, Ms. Vanita &
Mr. Vikrant Singh, Advs.

versus

STATE & ANR.

.....Respondent

Through: Mr. Pradeep Gahlot, APP for the
State
SI Karan Singh, PS Gazipur

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

12.08.2024

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1. This petition seeks cancellation of anticipatory bail granted to accused on 22nd April 2017 by the Sessions Court.
2. FIR No.410/2016 PS Gazipur was registered on allegations of sexual assault and rape by complainant (petitioner herein). Statement was recorded under Section 161 Cr.P.C. and later Statement under Section 164 Cr.P.C.; charge-sheet was filed on 15th September 2017. Trial is since been underway and chief examination of prosecutrix was recorded on 13th March 2023.
3. There is no immediate allegation by the complainant-petitioner of any intimidation or influence or any coercion or pressure by the accused, after the grant of bail.
4. Considering the long passage of time and that trial has already commenced, there would be no purpose served in considering the plea of cancellation of anticipatory bail, in light of above facts and circumstances. It is however asserted that trial proceedings by the Trial Court be expedited.



5. Considering the nature of offences alleged and circumstances involved, the accused alleged to be a self-proclaimed godman, and allegation being of sexual assault on multiple occasions, having exploited the petitioner-complainant monetarily by taking her valuables, jewellery, property etc, in the interest of justice, trial court is directed to proceed expeditiously to record testimonies of prosecution witnesses.

6. The petitioner shall be at liberty to approach this Court in the event there is any incident of any threat or pressure or coercion, during the process of recording of her testimony before the Trial Court.

4. This petition is disposed of with these observations.

5. It is made clear that this order shall not have any bearing on the merits of the matter and the trial shall proceed uninfluenced by rejection of this petition, which is essentially basis the long passage of time.

6. Petition stands disposed of with these observations. Pending applications, if any, are disposed of as infructuous.

7. Order be uploaded on the website of this Court.

ANISH DAYAL, J

AUGUST 12, 2024/sm