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

+ **CRL.M.C. 4127/2025**

MR. S

.....Petitioner

Through: **Mr. Dhruva Bhagat, Advocate**

versus

STATE NCT OF DELHI

.....Respondent

Through: **Mr. Shoaib Haider, APP for the State
alongwith SI Reena, P.S. Prashant
Vihar**

**Mr. Suraj Prakash Sharma, Advocate
for R-2 (through VC) with R-2 in
person**

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

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20.08.2025

1. Petition under Section 483(3) read with Section 528 of the Bhartiya Nagrik Suraksha Sanhita, 2023 has been filed for cancellation of the Order dated 24.05.2025 *vide* which the learned ASJ has granted bail to the Respondent No. 2 in FIR No. 0336/2025 registered under Section 75(2) BNS read with Section 8 of POCSO Act at P.S. Prashant Vihar and to direct the Respondent No. 2 to surrender before the Prosecution Agency.
2. The Status Report has been filed on behalf of the State, which is taken on record wherein it is submitted that the Charge-sheet has been filed before the learned Trial Court on 20.07.2025 and the matter is now pending before the learned Trial Court.
3. Essentially, the ground on which the cancellation of bail is sought is



that no prior Notice was served to the Prosecutrix and she was not heard while granting bail to Respondent No. 2.

4. Considering the technical ground on which the bail Order has been challenged, it is hereby set aside with liberty to the Respondent No. 2 to move the Bail Application before the learned Trial Court within 07 days.

5. No coercive action be taken against the Respondent No. 2 till the disposal of the Bail Application.

6. The Petition is accordingly disposed of.

NEENA BANSAL KRISHNA, J.

AUGUST 20, 2025

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