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

+ **CRL.L.P. 8/2022 & CRL.M.A. 114/2022**

STATE

.....Petitioner

Through: Mr Yudhvir Singh Chauhan, APP for State
W/SI Neelu, PS-Bindapur, Dist. Dwarka

versus

HIMANSHU YADAV

.....Respondent

Through: Mr Parikshit Bajaj, Adv. (through VC)

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

31.01.2025

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1. This is an application seeking leave to appeal to challenge the judgment dated 07.08.2019 passed by the learned Additional Sessions Judge wherein the learned Trial Court has acquitted the respondent for the charges under section 12 of POCSO Act and section 452 of IPC.
2. On perusing the impugned judgment, learned Trial Court was pleased to acquit the respondent on the ground that the evidence of the prosecutrix at various places were without date and no independent witness has been joined.
3. To my mind, the learned Trial Court *prima facie*, has failed to appreciate the clear testimony of the prosecutrix i.e. PW-1 where she has specifically given the instances of sexual harassment committed by the respondent.
4. For the said reasons, I am of the view that the matter requires



consideration. In this view, the application seeking leaving to appeal to challenge the judgment dated 07.08.2019 is allowed and the appeal is directed to be numbered.

CRL.A _____ (to be numbered)

5. For the reasons stated in the appeal, the appeal is “**Admitted.**”
6. To be listed in due course.
7. The parties are at liberty to obtain copy of the Trial Court Records from the Registry in accordance with Delhi High Court Rules & Procedures.

JASMEET SINGH, J

JANUARY 31, 2025

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