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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ BAIL APPLN. 749/2026
LUV KUSH @ LULAPetitioner
Through: Mr. Abhishek Rai, Advocate.

versus

THE STATE GOVT OF NCT DELHIRespondent
Through: Ms. Priyanka Dalal, APP for the State
with SI Seema.

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+ BAIL APPLN. 3563/2025
MOHITPetitioner
Through: Ms. Akshiva Goswami, Advocate.

versus

STATE OF N. C. T. OF DELHIRespondent
Through: Ms. Priyanka Dalal, APP for the State
with SI Seema Bhati.

CORAM:
HON'BLE MR. JUSTICE MANOJ JAIN

ORDER
23.02.2026

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1. Applicants are facing trial in a case of gang-rape arising out of FIR No. 196/2022 dated 25.04.2022, for commission of offence under Section 363 IPC, registered at P.S. Tigri, Delhi. Subsequently, in the charge-sheet, offences under Sections 376D/342/506/366/328 IPC and Section 6 of *Protection of Children from Sexual Offences Act, 2012* (POCSO) were added.
2. According to learned counsel for applicants, several other co-accused are already on bail and moreover, prosecutrix had, though, been earlier

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examined in part on 05.07.2024 but thereafter, she has not appeared before the learned Trial Court and, therefore, the trial is getting delayed, unnecessarily.

3. However, after hearing arguments for some time, learned counsel for the applicants, without prejudice to their rights and contentions, do not press the present bail applications. They, however, pray that the learned Trial Court be requested to ensure recording of the deposition of the prosecutrix, without any further delay.

4. They also submit that in case, the prosecution, again, fails to procure her attendance before the learned Trial Court, they may be given liberty to approach this Court again as the accused are in custody since May, 2022.

5. In view of the above, both the abovesaid applications are disposed of as not pressed.

6. Liberty, as prayed, is granted.

7. The next date of hearing before the learned Trial Court is stated to be 30.03.2026 and simultaneously, learned Trial Court is requested to issue directions to ensure presence of the prosecutrix on the abovesaid date and to record her further examination.

8. Needless to say, learned counsel for applicants would also ensure that such witness is also duly cross-examined, once she appears before the learned Trial Court and after her examination-in-chief is over.

9. A copy of this order be sent to concerned SHO and learned Trial Court for information and compliance.

MANOJ JAIN, J

FEBRUARY 23, 2026/ss/sa

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