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

\# **CNR No. DLHC010478232026**

\+ BAIL APPLN. 4215/2026

PANKAJ .....Applicant

Through: Mr. Vikas Kaushik, Mr. Prashant Sagar Yadav and Mr. Chandan Kachhap, Advocates.

versus

GOVT. OF NCT OF DELHI .....Respondent

Through: Mr. Satish Kumar, APP with Ms. Tanya and Mr. Rishabh Tyagi, Advocates with SI Pankaj, SI Nisha, PS-New Usman Pur.

CORAM:
HON'BLE MR. JUSTICE RAVINDER DUDEJA

O R D E R

% 05.10.2026

1. This is an application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, filed on behalf of the applicant/accused in case FIR No. 280/2025, registered under Sections 64(1) of the Bharatiya Nyaya Sanhita (BNS), 2023 and Section 6 of the POCSO Act, at Police Station New Usman Pur, Delhi with the following prayers:-

i. *Grant the bail to accused and set-aside the order dated 02/09/2026 of Ld. A.S.J Shri Sachin Sood, north-east KKD courts, Delhi in FIR NO. 280/2025, U/S 64(1) of BNS and S.6 of POCSO in P.S: - New Usmanpur, sessions case No.178/2025, titled as "STATE VS. PANKAJ AND ANOTHER".*

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ii. *Allow the Bone ossification test and set aside the vide order dated 02.09.2026 by Ld. ASJ Shri Sachin Sood, north-east KKD courts, Delhi in FIR NO. 280/2025, U/S 64(1) of BNS and S.6 of POCSO in P.S: - NEW USMANPUR, sessions case No.178/2025, titled as "STATE VS. PANKAJ AND ANOTHER".*

iii. *Pass any order as this Hon'ble court may deem fit and proper, in the interest of justice.*

2. At the very outset, the learned APP appearing on behalf of the State takes the objection that in the same application, the applicant has made two-fold prayers that is for grant of bail, as also for directions for conduct of the Bone Ossification Test and for setting aside the order dated 02nd September, 2026, passed by the learned Sessions Judge, rejecting the request of the applicant for Bone Ossification Test. He submits that instead of challenging the order dated 02nd September, 2026 in appropriate proceedings, he has challenged the same in the present bail proceedings, which is not permissible.

3. At this stage, the learned counsel who appears for the applicant, seeks permission to withdraw the application with liberty to file fresh application.

4. The statement made by the learned counsel is taken on record and application is dismissed as withdrawn with liberty as prayed for.

RAVINDER DUDEJA, J

OCTOBER 5, 2026/*vaishali/ma*

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