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

+ CRL.M.C. 8269/2025
SANTOSH

.....Petitioner

Through: Mr. Vivek Kumar Gaurav, Mr.
Harsh Chaudhary and Mr. Kaushal
Raj, Advocates.

versus

THE STATE OF NCT OF DELHI.Respondent

Through: Ms. Manjeet Arya, APP. SI Amit
Kumar, PS-Dabri.

CORAM:
HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **13.02.2026**
CRL.M.A. 4997/2026 (for exemption)

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

CRL.M.A. 4996/2026 (for early hearing)

The present application has been filed seeking early hearing of the captioned petition.

For the reasons stated therein, the application is allowed, and the captioned petition is taken up for hearing.

The application stands disposed of.

CRL.M.C. 8269/2025

1. The present petition is directed against the order of the learned Sessions Court dated 10.10.2025, in proceedings arising out of FIR No.



364/2019 dated 03.06.2019, registered at Police Station Dabri under Sections 376 and 506 of the Indian Penal Code, 1860, and Section 4 of the Protection of Children from Sexual Offences Act, 2012. The petitioner is the accused in the abovementioned case. By the impugned order, the Sessions Court dismissed the petitioner's application, to conduct an ossification test of the prosecutrix/child victim.

2. After some hearing, Mr. Vivek Kumar Gaurav, learned counsel for the petitioner, seeks permission to withdraw the present petition, without prejudice to the petitioner's rights and contentions before the learned Sessions Court, including with respect to the quality and probative value of the prosecution evidence.

3. The petition, alongwith the pending application, is dismissed as withdrawn, in terms of the above submissions.

4. It is clarified that this Court has not made any observations on the merits of the matter, which shall be adjudicated by the learned Sessions Court, in accordance with law.

PRATEEK JALAN, J

FEBRUARY 13, 2026

"Bhupi"/SD/