



\$~48

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

+ **CRL.A. 509/2025**

PANKAJ VERMA

.....Appellant

Through: Mr. Ankit Acharya, Ms.
Pratiksha Sharma and Ms. Ritu
Chaudhary, Advs.

versus

STATE OF (NCT OF DELHI)

.....Respondent

Through: Mr. Raghuinder Verma, APP
for State with SI Naveen Kumar
PS SJ Enclave.

CORAM:

HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER

% **22.04.2025**

CRL.M.A. 11961/2025, CRL.M.A. 11962/2025 (Exemption)

1. Allowed, subject to all just exceptions.
2. The applications stand disposed of.

CRL.A. 509/2025, CRL.M.(BAIL) 867/2025

3. This is a fresh appeal filed under Section 415(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 assailing the Judgment dated 22.01.2025 and Order on Sentence dated 01.03.2025 passed by learned Additional Sessions Judge (SC-POCSO), South District, Saket Courts, New Delhi ("Trial Court") in Sessions Case no. 129/2017 arising out of FIR No.456/2017 dated 19.11.2017 for the offences punishable under Sections 376/506 of the Indian Penal Code, 1860



("IPC") and Sections 4/6 of the Protection of Children from Sexual Offences Act, 2012 ("POCSO Act") registered at Police Station Safdarjung Enclave.

4. The learned counsel for the appellant submits that the appellant has been convicted for the offences under Section 376/455/506 of the IPC and Sections 4/6 of the POCSO Act (as it stood prior to amendment in the year 2018) and has been sentenced to undergo Rigorous Imprisonment for a period of 12 years along with fine.

5. He submits that the learned Trial Court has failed to scrutinize the evidence in correct perspective and thus, the judgment is based on conjectures and surmises. He further submits that there are major contradictions in the depositions of the prosecution witnesses, which have not been duly considered and appreciated by the learned Trial Court and thus, submits that the Impugned Judgment and the Order on Sentence is liable to be set aside.

6. Issue notice.

7. Mr. Raghuinder Verma, the learned APP for the State, accepts notice and seeks time to file reply.

8. Let the reply be filed, before the next date of hearing, with an advance copy to the opposite side.

9. In view of the mandate of the Supreme Court in **Jagjeet Singh & Ors. vs. Ashish Mishra @ Monu & Anr.** (2022) 9 SCC 321, intimation be issued through the IO/SHO to the prosecutrix, who may either appear in person or through video conferencing, or be represented through an Advocate, on the next date of hearing.

10. Let the nominal roll of the petitioner be also requisitioned, from



the concerned Jail Superintendent, before the next date of hearing.

11. Re-notify on 11.09.2025.

SHALINDER KAUR, J

APRIL 22, 2025/ss/kp

Click here to check corrigendum, if any