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

+ **CRL.A. 433/2024**

HEMA BAJAJ

..... Appellant

Through: Mr Adit Pujari, Mr Naman Gauba, Mr
Kunal Negi and Ms Aparajita Sinha,
Advocates.

versus

STATE OF NCT OF DELHI & ANR.

..... Respondents

Through: Mr Raghvinder Varma, APP for the
State with Shri Achin Garg, Addl.
SCP/South District and Insp. Manish
Bhati, PS Bhalswa Dairy.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

% **06.05.2024**

CRL.M.A. 13732/2024

1. Allowed, subject to al just exceptions.

CRL.A. 433/2024 & CRL.M.A. 13733/2024 & CRL.M.A. 13734/2024

2. The present petition has been filed seeking following relief:-

“a. Set aside the Impugned Order dated 19.10.2023 and
Formal Charge dated 11.03.2024 passed by Ld. ASJ,
North District, Rohini Courts in SC No. 130/2022 in case
FIR No. 1058 of 2021 registered under Section
3(l)(r)/3(1)(s) of the Scheduled Castes and Scheduled
Tribes (Prevention of Atrocities) Act, 1989 at PS Bhalswa
Dairy.”

3. Learned counsel for the petitioner submits that the alleged incident is



of 20.07.2021 whereas the FIR in the case was registered on 31.12.2021 and there is no explanation for the delay. He further submits that while framing charge, the learned Special Judge has not taken into consideration the pen drive which was supplied by the petitioner to the IO during the course of investigation that contains the entire conversation of the alleged incident.

4. In view of the above, issue notice. Learned APP for the State accepts notice.
5. Let status report be filed before the next date.
6. Re-notify on 13.05.2024.

MAY 6, 2024
MK

VIKAS MAHAJAN, J