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

+ CRL.M.C. 4255/2024 CRL.M.A. 16146/2024

MANISH DIWAKAR

.....Petitioner

Through: Ms. Sunita Arora, Adv (DHCLSC)

versus

THE STATE NCT OF DELHI

.....Respondent

Through: Mr. Pradeep Gahlot, APP for State
with ASI Om Prakash PS: Sarai
Rohilla.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

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19.11.2024

1. No one appears for the prosecutrix.
2. The petitioner states that WhatsApp chats which they wish to confront the prosecutrix with, did not form part of the charge sheet. They discovered this only on the inspection of the charge sheet in February, 2024 despite the charge sheet having been filed in 2018. These WhatsApp chats are not supported by s.65B of Indian Evidence Act affidavit.
3. Notwithstanding, counsel for petitioner argues that this is critical for the matter since the WhatsApp chats would bear out that the accused was in relationship with the complainant.
4. State shall file a status report in respect of sequence of events and the status relating to the WhatsApp chats.
5. Intimation be sent to the prosecutrix through the IO as well to be



represented on the next date of hearing.

6. List on 18th February, 202.
7. Interim orders to continue.
8. Order be uploaded on the website of this Court.

ANISH DAYAL, J

NOVEMBER 19, 2024/RK

[Click here to check corrigendum, if any](#)