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

+ **CRL.REV.P. 686/2022 & CRL.M.A. 21109/2022**

STATE

..... Petitioner

Through: Ms Richa Dhawan, APP for the State
SI Anil PS Mayur Vihar

versus

SUNIL SAHIL NANHA

..... Respondent

Through:

CORAM:

HON'BLE MS. JUSTICE POONAM A. BAMBA

ORDER

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17.10.2022

CRL.M.A. 21108/2022 (Exemption from filing clear copies of dim annexures and certified copies of all the annexures)

1.0 Exemption allowed subject to just exceptions. Application is disposed of accordingly

CRL.REV.P. 686/2022

2.0 This is State's revision petition under Section 397 and 401 of the Code of Criminal Procedure, 1973 (Cr.P.C) against the judgment/order dated 25.04.2022 passed by learned Special Judge (POCSO), East District, Karkardooma Courts, New Delhi in FIR no. 424/2021 under Section 354 of the Indian Penal Code, 1860 (IPC) read with Section 8 POCSO Act PS Mayur Vihar, whereby the accused/respondent was discharged.

3.0 Learned Prosecutor submits that there was specific allegation of



outraging the modesty of the girl child and sexual assault, made vide statement of the victim under Section 161 Cr.P.C and Section 164 Cr.P.C and also the statements of her parents and other witnesses.

3.1 Learned Prosecutor further submits that case of molestation is made out vide statement of the victim under Section 161 Cr.P.C whereas in her statement under Section 164 Cr.P.C, she did not fully support the prosecution case. However, there was material on record which called for framing of charge. It is submitted that even during her medical examination, the victim had categorically mentioned about molestation and sexual assault by the respondent.

4.0 Issue notice.

5.0 List on **16.12.2022**.

POONAM A. BAMBA, J

OCTOBER 17, 2022
g.joshi

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