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

+ CRL.A. 133/2022

IMRAN

..... Appellant

Through: Mr Suresh Chandra Sati and Mr Satish Chand,
Adv.

versus

THE STATE (GOVT. OF NCT OF DELHI)

..... Respondent

Through: Mr Sanjeev Sabharwal, APP for State
SI Esther Dazii, DUO, PS-Mehrauli

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

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05.04.2022

CRL.M.A. 6284/2022

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

CRL.A. 133/2022 & CRL.M.A. 6285/2022 (for summon, recall & examine, re-examine material witnesses)

The present appeal has been filed seeking setting aside of conviction of the Appellant on 17.11.2021 and also against the order of sentence dated 18.01.2022 whereby the appellant has been convicted for offence punishable under Section 4 of POCSO Act and under Sections 366/376(2)/506(Part-II) IPC.

It is submitted by Mr Suresh Chandra Sati, learned counsel appearing for the appellant that the appellant has already been incarcerated for a period of 4 years 9 months. It is also submitted that the Trial Court has incorrectly not granted benefit of doubt to the accused persons for several material, medical and other contradictions in the present case.



Issue notice. Mr Sabharwal, learned APP accepts notice.

The complainant/respondent be also informed in writing regarding the present appeal within a week from today. Since this is a matter inter alia under section 376 IPC and section 4 POCSO Act, let intimation under section 439(1-A) Cr.P.C. read with Delhi High Court Practice Directions dated 24.09.2019 in form Annexure-A attached to the Practice Directions, be sent by the Investigating Officer to the complainant/prosecutrix, informing her that her presence is required via video-conferencing at the hearing of this bail application on the next date. In case the complainant/respondent seeks and requires assistance of an Advocate from DHCLSC, the same shall be so provided.

List on 11.10.2022.

CRL.M.(BAIL) 387/2022

In the present case the appellant seeks suspension of sentence and release of appellant on bail during the pendency and final disposal of the CRL.A. 133/2022.

Issue notice. Mr Sabharwal, learned APP accepts notice and seeks time to file status report in this regard.

Status report be filed before the next date.

List on 11.10.2022.

JASMEET SINGH, J

APRIL 5, 2022

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