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

+ **CRL.A. 921/2024 & CRL.M.(BAIL) 1653/2024**

NARVIR SINGH

.....Appellant

Through: Mr. B. Badrinath (DHCLSC),
Advocate (Through VC)

versus

STATE GOVT. OF NCT OF DELHI

.....Respondent

Through: Mr. Satish Kumar, APP for State

CORAM:

HON'BLE MR. JUSTICE CHANDRA DHARI SINGH

ORDER

% **04.10.2024**

CRL.M.A. 29915/2024 (Exemption)

Exemption allowed subject to just exceptions.

The application stands disposed of.

CRL.A. 921/2024

1. The instant appeal under Section 415 (2) read with 528 of the Bhartiya Nagarik Suraksha Sanhita, 2023 has been filed on behalf of the appellant seeking setting aside the judgment dated 16th May, 2024 (hereinafter “impugned judgment”) and the order of sentence dated 1st August, 2024 passed by learned Additional Sessions Judge/FTSC (POCSO)-02, Central District, Tis Hazari Courts, New Delhi in S. C. No. 194/2020 pertaining to FIR No. 245/2020 registered at Police Station Civil Lines under Sections 376(AB)/506 of Indian Penal Code, 1860 and Section 6 of the Protection of Children from Sexual Offences Act, 2012.



2. Learned counsel appearing on behalf of the appellant submitted that the learned Trial Court erred in passing the impugned judgment on the basis of presumptions, conjectures and surmises, therefore, the said impugned judgment was passed without any proper appreciation of the evidence. Hence, the same is liable to be set aside.

3. It is submitted that there are several discrepancies and contradictions among the statement/deposition of the witnesses and the learned Trial Court, while passing the said judgment, has not taken into consideration the said contradictions and discrepancies in the deposition.

4. Heard learned counsel appearing on behalf of the appellant and perused the material available on record.

5. Issue notice. Learned APP appearing on behalf of the State accepted notice.

6. Issue notice to the victim through all permissible modes on filing PF within one week.

7. Trial Court Record be requisitioned in digital form before the next date of hearing.

8. Let nominal roll be requisitioned from the Jail No. 8/9, Jail Superintendent, Central District, Tihar Jail, Delhi before the next date of hearing.

9. List on 12th December, 2024.

CHANDRA DHARI SINGH, J

OCTOBER 4, 2024
gs/sm

Click here to check corrigendum, if any