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

+ CRL.L.P. 715/2018

MS. X (MINOR)

..... Petitioner

Represented by: Mr. Kamlesh Kumar Mishra, Mr.
Rahul Kumar and Mr. Rohit Kalra,
Advocates.

versus

STATE & ORS.

..... Respondent

Represented by: Mr. Ashok Kumar Garg, APP with SI
Nirmala Singh, PS Sagarpur.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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29.10.2018

Crl.M.A. No. 35151/2018 (Exemption)

Allowed, subject to all just exceptions.

CRL.L.P. 715/2018 and Crl.M.A. No. 35152/2018

Learned counsel for the petitioner submits that the Trial Court acquitted the respondent No. 2 on the ground that the manner of identification during the course of investigation was not proper and no test identification parade was got conducted.

Learned counsel for the petitioner submits that since the victim/prosecutrix was a minor aged 5 years at the time of incident, the accused could not have been put to her by way of identification test and after she gave the vague description of the accused, sketches of the persons/

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accused involved in these activities in the year were shown to her in which the prosecutrix identified the respondent as accused, is sufficient identification.

Notice.

Learned APP for the State accepts notice.

Notice be issued to respondent No. 2 on the petitioner taking steps through ordinary and dasti process, registered AD and speed post, returnable on 3rd April, 2019.

Learned counsel for the petitioner submits that the respondent No. 3 has failed to pay the full compensation to the petitioner.

Notice be also issued to respondent No. 3 limited to this extent and to file a reply in this regard before the next date of hearing.

In the meantime, Trial Court record be called for.

MUKTA GUPTA, J.

OCTOBER 29, 2018
‘yo’

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