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

+ **BAIL APPLN. 2675/2023**

MOHD MADNI

..... Petitioner

Through: Advocate (Appearance not given)

versus

THE STATE (NCT OF DELHI)

..... Respondent

Through: Mr. Ajay Vikram Singh, APP for the State

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

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11.08.2023

CRL.M.A. 21540/2023(for exemption)

1. Allowed subject to all just exceptions.
2. The application stands disposed of.

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3. This is an application filed by the applicant under Section 439 Cr.P.C. seeking regular bail in case FIR No. 391/20 dated 07.10.2020 under Sections 363/376/376AB/377 IPC and Section 6 of the Protection Of Children from Sexual Offences Act, 2012 at Police Station Amar Colony.
4. It is submitted that the applicant has been in custody since 07.10.2020. Learned counsel for the applicant submits that the allegations against him are false, fabricated and motivated with malicious intentions.

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5. Issue notice.
6. Learned APP for the State accepts notice. He seeks, and is granted two weeks to file the Status Report, indicating past antecedents of the applicant, if any, and the total period undergone in custody.
7. Let the Nominal Roll be also requisitioned from the concerned Jail Superintendent within the aforesaid period.
8. Since this is a matter inter alia Section 376 IPC and Section 6 of 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/informant informing them of the pendency of the present matter to enable them or their authorised signatory to be present in Court if they so desire, either through video conferencing or in Court. It is clarified that it is not compulsory for the prosecutrix to appear in person for the hearing.
9. List on 10.10.2023.

SAURABH BANERJEE, J

AUGUST 11, 2023/rr

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