

**IN THE COURT OF DISTRICT AND SESSIONS JUDGE
GANDHI NAGAR COURTS, SOUTH DELHI**

Cr. Appli. 33A of 2019
[clubbed with]
Cr. Appli. 33B of 2019
and
Cr. Appli. 33C of 2019
and
Cr. Appli. 33D of 2019

Date: 12.10.2019

In the matter

Ankit	v.Applicant
State (N.C.T. of Delhi)	<i>[clubbed with]</i>Respondent
Rohit	v.Applicant
State (N.C.T. of Delhi)	<i>and</i>Respondent
Rahul	v.Applicant
State (N.C.T. of Delhi)	<i>and</i>Respondent
Mohit	v.Applicant
State (N.C.T. of Delhi)	<i>and</i>Respondent

Coram: Mr. Rupesh Singh, Judge, Sessions Court

Present: Ms. Radhika Agarwal, Ld. Public Prosecutor for the State.
Mr. Varun Katiyar, Ld. Counsel for Applicant.
IO Kishor Kumar

Heard the Ld. Counsel for the applicants Mr. Varun Katiyar and the Ld. Public Prosecutor Ms. Radhika Agarwal along with IO Mr. Kishor Kumar.

The Ld. Counsel for the applicant submits that FIR No. 102/19 PS: Gandhi Nagar has been registered against the accused in which he has been implicated u/s 376D/302 of IPC. Ld. Counsel for the applicants submits that the victim was with her friends on the date and time of the incident. The alleged offence against the victim happened between 8:30 P.M. of 07.09.2019 to 2:30 A.M. of 08.09.2019.

It was further submitted by the counsel of applicants that the parents of the victim called her at around 2:15 A.M. on 08.09.2019, she informed them that she is with her friend named Kajal, whereas, applicants could not produce the exact mobile phone location of the victim that is a serious omission on the part of applicants. Ld. Public Prosecutor, on being asked, about the exact location of mobile phone of the victim could also not produce the exact mobile phone location of the victim.

The police is directed and given a strict warning with respect to the serious omission done by the police in an offence committed against a woman. The IO of this case is directed to show cause as to why till now he has not traced the mobile phone location of the victim in the alleged offence.

Since the charges are of 302/376D bail cannot be granted. Police is directed to file the charge sheet as soon as possible. SHO is given a strict warning with respect to fair investigation. Bail is denied, matter is disposed off. The copy of this order will be given to the S.P. as well as to the accused.



(Sh. Rupesh Singh)
Sessions Judge
Delhi: 12.10.2019