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

+ BAIL APPLN. 3777/2022 and CrI. M.A. No. 26602/2022

AS

..... Petitioner

Through: Mr. R.H.A. Sikander, Advocate with
Mr. Jatin Bhatt, Advocate and Mr.
Sanawar, Advocate.

versus

STATE

..... Respondent

Through: Ms. Meenakshi Dahiya, APP for the
State.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

19.12.2022

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CRL.M.A. No.26601/2022 Exemption)

Exemption granted, subject to just exceptions.

Let requisite compliances be made within 01 week.

The application stands disposed of.

Bail Appl.No.3777/2022

Mr. R.H.A. Sikander, learned counsel for the petitioner submits that the anticipatory bail application that was pending before the Allahabad High Court stands withdrawn on 16.12.2022.

2. Though the order permitting withdrawal is not available yet, learned counsel has drawn attention to the case-status of the said petition as seen on the website of the Allahabad High Court, which reflects that the petition has been dismissed as withdrawn.
3. The trial in the matter has been transferred to the Court of the Sessions Judge, South-East District, District Courts Complex, Saket, New Delhi by the Supreme Court *vide* order dated 02.09.2022 made

in Transfer Petition (Criminal) No. 511/2022. The petitioner is stated to have appeared before the learned trial court on 17.12.2022; and the matter is stated to be listed next on 09.01.2023 for compliance of section 207 Cr.P.C.

4. The petitioner, who is a young girl, about 21 years of age, seeks anticipatory bail under section 438 Cr.P.C. in case FIR No.314/2018 dated 23.12.2018 registered under sections 419/420/467/468/471 IPC at P.S: Makhi, U.P. The submission is that the petitioner is the victim in FIR No.316/2017 dated 20.06.2017 registered at P.S: Makhi, U.P.; but the husband of the accused in the said case has filed the present FIR, alleging that the petitioner and her mother had forged the date on the petitioner's birth certificate in related proceedings so that they could allege offences under the POCSO Act.
5. Issue notice.
6. Ms. Meenakshi Dahiya, learned APP appears for the State on advance copy; accepts notice; and seeks time to file status report.
7. Let status report be filed within 06 weeks; with advance copy to the opposing counsel.
8. Re-notify on 1st March 2023.
9. In the meantime, subject to the petitioner appearing before the learned trial court as and when required, no precipitate action affecting the petitioner's liberty shall be taken by the trial court, till the next date of hearing.

ANUP JAIRAM BHAMBHANI, J

DECEMBER 19, 2022/Ne