

OFFICE OF THE PRINCIPAL DISTRICT & SESSIONS JUDGE,
WEST DISTRICT, TIS HAZARI COURTS, DELHI


No. 34572-34651
/Genl./West/THC/2024

Dated, Delhi the 06/11/24

Sub.- Copy of Order Dated 25.10.2024 passed by Hon'ble Division Bench of High Court of Delhi, New Delhi in Case Bearing CRL.A. No. 816/2024 & CRL.M.(BAIL) No. 1459/2024 Titled as "Ashraf Rain Vs. The State (Govt. of NCT), Delhi.

Forwarded copy of Letter No. 76890/Crl. Dated 05.11.2024 Bearing Diary No. 5022 Dated 05.11.2024 along with its enclosures i.e. copy of Order Dated 25.10.2024 passed by Hon'ble Division Bench of High Court of Delhi, New Delhi & Memo of Parties in Case Bearing CRL.A. No. 816/2024 & CRL.M.(BAIL) No. 1459/2024 Titled as "Ashraf Rain Vs. The State (Govt. of NCT), Delhi received, on the subject cited above, from Admn. Officer (J)/(Crl.), For Registrar General, Hon'ble High Court of Delhi, New Delhi for information and immediate compliance/necessary action to:-

1. All the Ld. Judicial Officers, West District, Tis Hazari Courts, Delhi.
2. Sh. Tushar Gupta, Ld. Secretary, Delhi Legal Services Authority, West District, Tis Hazari Courts, Delhi.
3. Ld. Chairperson, Website Committee, Tis Hazari Courts, Delhi with the request to direct the concerned Dealing Officer/Official to upload the same on Centralized Website of Delhi District Courts as well as on the Website of West District.
4. PS to the Ld. Principal District & Sessions Judge, West District, Tis Hazari Courts, Delhi.
5. The R&I Branch, West District, Tis Hazari Courts, Delhi to upload the same on LAYERS.


(Ajay Gupta)
District Judge (Commercial Court) - 05/
Officer Incharge, General Branch,
West District, Tis Hazari Courts, Delhi

Enclosure: As above.

IN THE HIGH COURT OF DELHI AT NEW DELHI

No. 76890- /Crl.Dated: 5/11/24

From: The Registrar General
High Court of Delhi,
New Delhi.

5022

To,

1. The District & Sessions Judge (HQ), Tis Hazari Court, Delhi
2. The District & Sessions Judge, Central, Tis Hazari Courts, Delhi
3. The District & Sessions Judge, West, Tis Hazari Courts, Delhi
4. The District & Sessions Judge, New Delhi, Patiala House Courts, Delhi
5. The District & Sessions Judge, South, Saket Courts, Delhi
6. The District & Sessions Judge, South East, Saket Courts, Delhi
7. The District & Sessions Judge, East, Karkardooma Courts, Delhi
8. The District & Sessions Judge, North East, Karkardooma Courts, Delhi
9. The District & Sessions Judge, Shahdara, Karkardooma Courts, Delhi
10. The District & Sessions Judge, North West, Rohini Courts, Delhi
11. The District & Sessions Judge, North, Rohini Courts, Delhi
12. The District & Sessions Judge, South West, Dwarka Courts, Delhi

Criminal Appeal No. 816/2024

CRL.MB No. 1459/2024

Ashraf Rain

.... Appellant

VERSUS

The State (Govt of NCT), Delhi

.... Respondent/s

Criminal Appeal u/s 415(2) r/w section 424 of the BNSS 2023 challenging judgment dated 05.03.2024 and 11.07.2024 respectively passed by Ld ASJ-01, (POCSO), North West, Rohini Courts, Delhi in case SC No. 49/2020, FIR No. 465/2019, PS: Ashok Vihar, New Delhi, U/s: 363/325/376(2)(j)/376AB IPC & Section 5(m) POCSO act punishable u/s 6 POCSO Act.

Sir,

I am directed to forward herewith for immediate compliance/necessary action a copy of order dated 25.10.2024 passed by the Hon'ble Division Bench of this court in the above noted case.

Necessary directions are contained in the enclosed copy of order.

Encl: Copy of order dated 25.10.2024
along-with memo of parties &

OTC/Genl/west
www
PDE85(west)
05/11/2024

Yours faithfully

104.11.2024

Admn. Officer (J)/ (Crl.)
for Registrar General

IN THE HIGH COURT OF DELHI AT NEW DELHI

CRL. APPEAL NO. _____ OF 2024

In the matter of:

ASHRAF RAIN

...Appellant

V/S

THE STATE (GOVT OF NCT), DELHI

...Respondent

ARISING OUT OF JUDGEMENT DATED 05.03.2024 AND
11.07.2024 RESPECTIVELY PASSED BY MS. SUSHEEL
BALA DAGAR, ADDITIONAL SESSIONS JUDGE-1
(POCSO), NORTH-WEST, ROHINI COURTS, DELHI, IN
CASE S.C NO. 49/2020, FIR NO. 465/2019, U/S
323/363/376/376(3) IPC & 06 POCSO, P.S ASHOK VIHAR,
DELHI

MEMO OF PARTIES

ASHRAF RAIN

S/o SH. ISRAFUL RAIN

R/o Permanent Resident of:

R/o Village Anchan Sursand, Malathi,

Distt. Sitamarhi, Bihar.

(Presently confined in

CJ-10, Rohini, New Delhi)

...Appellant

V/S

THE STATE

NCT of Delhi, New Delhi

...Respondent

DRAFTED BY

L.T.I. OF APPELLANT

17/08/24
BHASKARPANDEY



ADVOCATE (DHCLSC)

[Signature]

ASHRAF RAIN

CJ-10, Rohini, New Delhi

S/O SH. ISRAFUL RAIN

Dated: 17.08.2024

Presently confined at CJ-10

Email: bhaskarpandey7@gmail.com

Rohini, New Delhi

Contact No: 9953781206

Attested
[Signature]
Deputy Commissioner
Rohini Jail
Rohini Jail - Delhi-110003

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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.A. 816/2024 & CRL.M.(BAIL) 1459/2024**

ASHRAF RAIN

.....Appellant

Through: Mr. Siddharth Bambha, Mr. Rohit
Bohra and Ms. Nandana Menon, Advs.

versus

THE STATE (GOVT. OF NCT), DELHI

.....Respondent

Through: Mr. Aman Usman, APP for the State
Survivor in-person alongwith her
father

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE AMIT SHARMA

ORDER

% **25.10.2024**

1. This hearing has been done through hybrid mode.
2. *Vide* order dated 30th August, 2024 notice was issued to the Complainant/Survivor through the concerned SHO. The Complainant/Survivor has been served and is present in Court.
3. Mr. Madhukar, Id. Counsel for the Appellant, seeks an adjournment.
4. It is pointed out by Mr. Aman Usman, Id. APP that the survivor is a very young child, who was five years of age at that time of the incident.
5. It is noted that in paragraph 24 of the order on sentence dated 11th July, 2024, compensation amount of Rs. 10.5 lakhs has been awarded to the survivor. However, the father of the survivor submits that no amount has been paid towards the said final compensation. The father also stated that there

were some issues about the bank account being opened to receive the said compensation which have now been resolved.

6. Considering the above, let a report be filed by the Secretary, District Legal Services Authority, North West by the next date of hearing as to the reasons for delay in remitting the compensation amount to the survivor in the present case.
7. It is noticed that in a large number of cases the final orders and judgments passed by the POCSO Court or Trial Court awarding interim or final compensation to the survivors are not being implemented by the concerned District Legal Services Authorities (DLSA).
8. Let a direction be issued to all the POCSO Courts and Trial Courts that whenever interim compensation and/or final compensation is directed by them, the order should be immediately e-mailed to the concerned DLSA within three working days. The concerned DLSA would then be responsible to ensure that the compensation is paid as per the rules at the earliest. The concerned DLSA shall also ensure that the survivors are informed of the necessary process for availing the compensation.
9. Copy of order be communicated to Secretary, DLSA (North West) for necessary information and compliance.
10. Copy of order be also communicated to Mr. Abhinav Pandey, Secretary (Litigation), Delhi State Legal Services Authority.
11. List on 10th December, 2024.


PRATHIBA M. SINGH, J.


AMIT SHARMA, J.

OCTOBER 25, 2024/tp/ms

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T.C