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

+ **BAIL APPLN. 89/2016**

MUNNA LAL

..... Petitioner

Through: Mr.R.K.Gupta, Advocate

versus

STATE OF NCT DELHI

..... Respondent

Through: Mr.Akshay Malik, APP for the State
alongwith ASI Hawa Singh from police
station Nihal Vihar, Delhi.

CORAM:

HON'BLE MS. JUSTICE SUNITA GUPTA

ORDER

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28.01.2016

This is an application under Section 438 Cr.P.C moved by the petitioner for grant of anticipatory bail in case FIR No.809/2015 under Sections 363/366/368/417/376(2)/120B IPC and 6 of POCSO Act registered with Police Station Nihal Vihar Delhi.

The FIR in the instant case was registered on the complaint of prosecutrix wherein she alleged that she was taken by one Suresh on the pretext that he will get her married in some good family. Thereafter, he kept her in the house of his brother-in-law Khanna Lal Sharma at Prem Nagar then at Rishal Garden in the house of his uncle Munna Lal and then at the house of Dinesh Sharma at Rishal Garden. During this period, he forcibly made sexual relation with her. On 25.08.2015 her elder uncle Rohtash and other persons reached at the house of Dinesh Sharma at Rishal Garden and traced the prosecutrix and brought her to police station Nihal Vihar. Suresh, Khanna Lal, Munna Lal and Dinesh Sharma used to threaten her to forget whatever had happened and if she disclosed anything to anybody, she will be killed.

Counsel for the petitioner submits that the petitioner has been working as

a private security guard for two shifts daily every month. The prosecutrix never stayed at the house of the petitioner. Petitioner has been falsely implicated in this case, as such, he be released on bail.

Learned Additional Public Prosecutor for the State, on the other hand, submits that during the course of investigation, petitioner could not give any proof as to where he was working as security guard. Moreover, on the same allegations Dinesh Sharma and Khanna Lal were arrested, however, the petitioner is absconding and did not join the investigation.

Keeping in view the fact that the allegations against the petitioner are serious in nature and co-accused having similar role have already been arrested, there is no ground for grant of anticipatory bail.

The application is dismissed.

SUNITA GUPTA, J

JANUARY 28, 2016

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