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

+ BAIL APPLN. 119/2016, CRL.M.A.Nos.11733/16, 3840/16,
11734/16 & 11735/16

RAJESH RANJAN CHAUHAN

..... Petitioner

Through : Mr.Keshav Thakur, Advocate with
Mr. Rajesh S.Chauhan, Advocate.

versus

STATE NCT OF DELHI

..... Respondent

Through : Mr.Amit Gupta, APP with W/SI
Kailash, PS Vasant Vihar.
Mr.Rakesh Tikku, Sr.Advocate with
Mr.Kunwar A.Ali & Mr.S.M.Prasad,
Advocate for the complainant.

CORAM:

HON'BLE MR. JUSTICE S.P.GARG

ORDER

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02.08.2016

1. The petitioner seeks anticipatory bail under Section 438 Cr.P.C. in case FIR No.1769/2015 registered under Sections 354C/354D/406/506/507 IPC at PS Vasant Vihar. Status report is on record.

2. I have heard the learned counsel for the parties including the Senior Counsel for the complainant and have examined the file. By an order dated 20.01.2016, the petitioner was granted interim protection and was directed to join the investigation as and when required.

BAIL APPLN. 119/2016

page 1 of 3

Undisputedly, the petitioner has joined the investigation since then. Perusal of the FIR reveals that both the petitioner and the prosecutrix were acquainted with each other. They both were posted as ASIs in CRPF. They had met several times. There was proposal for marriage between the two which did not materialise. There were number of money transactions. Admittedly, the complainant had lodged a written complaint on 21.09.2015 at the J&K Unit Headquarters alleging that the petitioner had not kept his promise to marry her. It is informed that both the petitioner and the complainant had appeared in the enquiry conducted by IGP North Section and their statements were recorded from 23.11.2015 to 27.11.2015. Without waiting for the report of the internal committee, on 28.11.2015 the prosecutrix lodged the FIR. The petitioner has placed on record the copy of the investigation report dated 04.07.2016 conducted by IGP, CRPF with respect to the complainant's complaint. The report concluded that there was no necessity to take action against the petitioner and it was not a case of sexual harassment. The complainant was warned to refrain from making such type of serious and false allegations in future.

3. It is to be noted that initially in her complaint lodged on 28.11.2015 the prosecutrix did not level any allegations of rape. However, in her 164 Cr.P.C. statement recorded on 14.12.2015 and 15.12.2015 she implicated the petitioner for committing rape upon her.

4. Considering the facts and circumstances of the case, the petitioner is granted anticipatory bail and in the event of arrest, he be released on furnishing personal bond in the sum of ₹ 50,000/- with one surety in the like amount to the satisfaction of the SHO/Investigating officer. He shall, however, join the investigation as and when required.

5. The petitioner is directed not to contact the prosecutrix; he shall not communicate with the prosecutrix or any of her family members in any manner whatsoever and shall not intimidate her or the witnesses.

6. Needless to say, in case of non-compliance of the conditions, complainant will be at liberty to approach this Court.

7. The bail application stands disposed of. Pending applications also stand disposed of.

S.P.GARG, J.

AUGUST 02, 2016 / tr