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

+ **BAIL APPLN. 332/2016 & CrI. M.A.3071/2016**

VINOD KUMAR YADAV

..... Petitioner

Represented by: Mr. B.K. Tripathi, Advocate

versus

THE STATE OF NCT OF DELHI

..... Respondent

Represented by: Mr. K.S. Ahuja, APP

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

30.08.2016

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By the present petition, the petitioner seeks regular bail in FIR No.985/2015 under Sections 376/506 IPC and Section 3(x) of The SC & ST (Prevention of Atrocities) Act, 1989 registered at PS:Timarpur, Delhi.

The allegations of the prosecutrix in the above-noted FIR are that, both the petitioner and the prosecutrix were classmates, when their friendship developed. The petitioner expressed his love for the prosecutrix and desired to marry her. On her refusal, he threatened to jump to death from his room. Thereafter, having promised to marry her, he committed sexual intercourse with her without her consent, so much so that the prosecutrix got conceived and the child had to be aborted. However, the petitioner continued to obviate her request for lawful marriage, despite the long live-in relationship on the assurance of marriage.

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When the present petition came up for hearing before this Court, the petitioner sought for interim bail on the ground that he had to marry the prosecutrix. The marriage between two of them was performed whereafter he appeared in the examination and thus the interim protection continued.

Merely because the parties have married and settled, the same cannot be a reason to grant bail in a serious offence under Section 376 IPC. I find no reason to grant regular bail.

Consequently, the petition and application are dismissed. The interim order in favour of the petitioner is vacated.

MUKTA GUPTA, J.

AUGUST 30, 2016
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