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* IN THE HIGH COURT OF DELHI AT NEW DELHI
+ BAIL APPLN. 404/2016
YASHPAL KHANDOOJA

..... Petitioner

Through: Mr Indresh Kumar, Mr Anil Jha, Adv.
versus

STATE

..... Respondent

Through: Ms Neelam Sharma, Additional Public
Prosecutor for the State alongwith Sub Inspector
Vikram Singh Police Station Mianwali Nagar,
Delhi

CORAM:

HON'BLE MS. JUSTICE SUNITA GUPTA

ORDER

% 24.02.2016

CrI. MA 3309/2016 (exemption)

Exemption allowed subject to all just exceptions.

The application stands disposed of.

BAIL APPLN.404/2016

This is application under Section 438 of Cr.PC moved by the petitioner for grant of anticipatory bail in case FIR No. 475/2015 under Sections 376/506 IPC registered at Police Station Mianwali Nagar, New Delhi.

It is submitted by counsel for the petitioner that the petitioner has not been arrested and in fact charge-sheet has been filed showing him in the column 'not arrested'. He also refers to the statement of prosecutrix recorded under Section 164 Cr.PC wherein she has stated that the relation was consensual. An application for bail was moved before the learned Metropolitan Magistrate, however, same was dismissed and the application moved before the learned Additional Sessions Judge met the same fate. It is submitted that the matter has not so far been committed to the Court of Sessions.

In the circumstances, the petitioner is directed to move appropriate application before learned Additional Sessions Judge within two weeks from today. Till then, he be not arrested.

The application stands disposed of accordingly.

A copy of this order be given *dasti* under the signatures of the Court Master to counsel for the petitioner.

SUNITA GUPTA, J

FEBRUARY 24, 2016/*rd*