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

+ **BAIL APPLN. 516/2016**

ZAFAR SAFFI @ VICKY

..... Petitioner

Represented by: Mr. D.D. Sharma, Advocate.

versus

STATE (NCT OF DELHI) & ANR

..... Respondents

Represented by: Mr. Hirein Sharma, APP for
the State with ASI Kiran Sethi,
PS Anand Parbat.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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06.10.2016

1. By the present petition the petitioner seeks bail in case FIR No. 319/2015 under Sections 363/376 IPC and Sections 4 and 6 of the Protection of Children from Sexual Offences Act, 2012 registered at PS Anand Parbat, Delhi.

2. Learned counsel for the petitioner contends that the petitioner is in judicial custody since 10th June, 2015 and the petitioner only afforded protection to the prosecutrix when she left her home on her own. He further states that since the prosecutrix has already been examined, who has not supported the case of the prosecution and the trial is likely to take some time, the petitioner be released on bail.

3. A status report has been filed along with the statement of the prosecutrix recorded before the Court. In her deposition before the Court

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the prosecutrix has stated that she left the house on her own and was not accompanied by the petitioner who met her later when she called him. She also denied any physical relations between the parties.

4. Without commenting whether conviction of the petitioner can be based on the part testimony of the prosecutrix, considering the fact that the material witness, that is, the prosecutrix has already been examined and the trial is likely to take some time, I deem it fit to grant bail to the petitioner. It is, therefore, directed that the petitioner be released on bail on his furnishing a personal bond in the sum of ₹25,000/- with one surety of the like amount, subject to the satisfaction of the learned Trial Court, further subject to the condition that he will not leave the NCR without prior permission of the Court concerned.

5. Petition is disposed of.

6. Order dasti.

MUKTA GUPTA, J.

OCTOBER 06, 2016

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