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

+ **BAIL APPLN. 472/2016**

SUMIT KUMAR

..... Petitioner

Through : Mr.Bharat Sharma, Advocate with
Ms.Mansi Kaushik, Advocate.

versus

STATE (GOVT) OF NCT OF DELHI Respondent

Through : Ms.Meenakshi Dahiya, APP with SI
Abhishek Verma, PS Timarpur.
Ms.Fizani Husain, Advocate for the
complainant along with complainant
in person.

CORAM:

HON'BLE MR. JUSTICE S.P.GARG

ORDER

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09.09.2016

1. The petitioner seeks anticipatory bail under Section 438 Cr.P.C. in case FIR No.923/2015 registered under Section 376 IPC at PS Timarpur. Status report is on record.

2. I have heard the learned counsel for the parties including the counsel for the complainant and have examined the file. By an order dated 03.03.2016, the petitioner was granted interim protection and was directed to join the investigation as and when required. Undisputedly, the petitioner has joined the investigation since then. In compliance of the order dated 13.05.2016, the complainant did not file response to the bail application despite seeking time.

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3. Status report reveals that the prosecutrix and the petitioner were acquainted with each other. Physical relations took place between the two albeit on the promise to marry on 07.10.2015. Status report further reveals that after the victim's parents came to know about their relations they talked with the family members of the petitioner for marriage. Initially, the petitioner was agreeable to marry but later on, he refused. The instant FIR was lodged on 01.12.2015.

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 ₹ 40,000/- 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 bail application stands disposed of.

S.P.GARG, J

SEPTEMBER 09, 2016 / tr