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

+ **BAIL APPLN. 627/2016**

MOHD. SAFDAR BHAT Petitioner

Through : Mr.Vikas Bhatia, Advocate.

versus

STATE NCT OF DELHI Respondent

Through : Ms.Meenakshi Dahiya, APP with
W/SI Mukti, PS Mehrauli.

CORAM:

HON'BLE MR. JUSTICE S.P.GARG

ORDER

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07.11.2016

1. The petitioner seeks anticipatory bail under Section 438 Cr.P.C. in case FIR No.3401/2015 registered under Sections 323/376/506/509/34 IPC at PS Mehrauli. Status report is on record.

2. I have heard the learned counsel for the parties and have examined the file. By an order dated 21.03.2016, 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. It is informed that the charge-sheet has been filed and statements of the prosecution witnesses have been recorded. The petitioner has put appearance before the Trial Court. It is further informed that co-accused persons have already been granted bail. Status report reveals that the prosecutrix and the accused persons were acquainted with each other. Main allegations are against co-accused

Imtiaz who allegedly committed rape upon the prosecutrix on the promise to marry. In the FIR, the prosecutrix involved other individuals who allegedly committed rape upon her. The prosecutrix did not lodge the report promptly. Physical relations took place between the prosecutrix and the accused persons several times.

3. 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 ₹ 30,000/- 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.

4. The bail application stands disposed of.

S.P.GARG, J

NOVEMBER 07, 2016 / tr