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

+ **BAIL APPLN. 1215/2016**

NEEMA

..... Petitioner

Represented by: Mr. Mukul Sharma, Mr.
Prashant Kumar, Mr. J.K.
Sharma, Advs.

versus

THE STATE

..... Respondent

Represented by: Mr. Hirein Sharma, APP with
SI Pawan Kumar PS South
Rohini.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

05.10.2016

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By the present petition the petitioner seeks bail in case FIR No.271/2015 under Sections 384/342/506/34 IPC.

The allegations in the FIR lodged by the complainant were that he was running a factory of manufacturing of polish brush used for cleaning utensils at Mangolpuri. On 26th March, 2015 he received a phone call from a girl on his mobile phone who asked her to meet, however he refused. When the complainant asked as to how she received her number, she told her that it was from one known person. The said lady continuously kept on calling him, however on 28th March, 2015 when he was present at Avantika,

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Sector-1, Rohini a lady again called him at Jaipur Golden Hospital stating that she was in trouble, so he thought it was better to meet her. When he reached there and was sitting inside the car bearing No.DL-4CAL-4264 Nano, Red Colour, he found a lady aged 40-45 years was standing near the front gate of Jaipur Golden Hospital. On reaching there she asked him to come to the house of her sister as she wanted to discuss something. Though confused he followed her where he found three more ladies were already present there. In view of the objectionable acts of the ladies, the complainant became perplexed but before he could do anything two persons entered inside the room and clicked his nude photograph with the said lady in compromising position. One person posed himself from the Crime Branch and the other as the reader of the SHO concerned. Thereafter money was extorted from him.

Thus as per the complaint the role assigned to the petitioner is that she called the complainant at Jaipur Golden Hospital and took him to her room and clicked the photographs was a honey trap.

During the course of investigation HC Narender Dahiya who was posing as official of the Crime Branch was arrested who had accompanied a civilian who posed as reader to the SHO concerned. After arrest during judicial TIP the complainant failed to identify Narender Dahiya and thus he was granted bail vide order dated 17th November, 2015. The present petitioner surrendered before the Court on 18th January, 2016 and in the TIP conducted on 21st January, 2016 the complainant identified the petitioner as a person who called him on the mobile phone and took him to that house where his photograph was taken. Even as per the status report it is evident

that on the influence of Narender Dahiya the complainant failed to identify him. Despite the status report noting that the complainant was being influenced by Narender Dahiya due to which complainant failed to identify him, however no cancellation of bail of Narender Dahiya has been sought by the State.

Be that as it may, the petitioner was an accomplice with Narender Dahiya, the main accused who has already been granted bail by the Court concerned.

Considering the fact that the petitioner has been now in custody for more than nine months and charge-sheet has already been filed and till date no steps have been taken by the State seeking cancellation of bail of Narender Dahiya, I deem it fit to grant bail to the petitioner. It is therefore directed that the petitioner be released on bail on her furnishing a personal bond in the sum of ₹25,000/- with two sureties of the like amount subject to the satisfaction of the learned Trial Court, further subject to the condition that she will not leave the NCR without the prior permission of the Court concerned.

Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

OCTOBER 05, 2016
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