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

+ **BAIL APPLN. 1311/2016**

JAVED

..... Petitioner

Through : Mr. Rajiv Bajaj, Adv.

versus

STATE THROUGH NCT OF DELHI

..... Respondent

Through : Mr. M.P. Singh, APP with SI Dinesh
Kumar, P.S. Nihal Vihar

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

% **24.06.2016**

Crl. M.A. No. 10043/2016 (exemption)

Allowed, subject to all just exceptions. Application is disposed of.

BAIL APPLN. No. 1311/2016

Complainant has stated in the FIR that on 1st June, 2016 at about 8 PM she was returning home from the tuition and when she reached near Durga Sweets, one person aged 19-20 years came there and started passing comments and tried to take her in a narrow lane. When she resisted, he caught hold of her hand and started misbehaving with her. On her raising alarm public caught him and gave beatings. She has stated in the FIR that she can identify the said person if he is brought before her.

Learned counsel for the petitioner submits that petitioner and complainant were known to each other and in fact had studied in the same school, that is, Govt. Sarvodaya Vidhalya (Co-ed), Peeragarhi Village, New Delhi. Complainant's brother saw them together and gave beatings to the petitioner. Petitioner sustained injuries and was taken to hospital by the police. He was not arrested by the police since no such allegation of molestation was levelled against him immediately after the incident. It is further submitted that petitioner has been falsely implicated in this case.

Keeping in mind the totality of circumstances, it is ordered that in case of arrest, petitioner be released on bail, subject to his furnishing personal bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) with one surety of the like amount to the satisfaction of Investigating Officer/Arresting Officer/Station House Officer concerned. Petitioner shall, however, cooperate in the investigation and appear before the Investigating Officer on 25th June, 2016 at 4:00 PM and on subsequent dates, as and when he is called upon to join the investigation. Application is disposed of in the above terms. Dasti.

A.K. PATHAK, J.
(VACATION JUDGE)

JUNE 24, 2016/rb