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

+ BAIL APPLN. 1458/2016 and CrI. M.A. No. 10982/2016 (interim bail)

MANPREET SINGH SACHDEVA Petitioner

Represented by: Mr. Viresh B. Saharya,
Advocate.

versus

STATE Respondent

Represented by: Mr. Hirein Sharma, APP for
the State with Inspector
Krishan Pal, SHO Lajpat Nagar
and SI Chanchal.
Mr. Udit Mishra and Mr.
Sanjay Sharma, Advocates for
the complainant.

CORAM:
HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER
21.10.2016

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1. By the present petition the petitioner seeks anticipatory bail in case FIR No.373/2016 under Sections 376 (2) (j)/328 IPC registered at PS Lajpat Nagar, Delhi.

2. The allegations of the complainant are that she met the petitioner through facebook and thereafter they started meeting at the coaching centre and became friendly. One day when she had gone to the house of the petitioner he gave some intoxicated drink, raped her and made a video clipping. The petitioner threatened the complainant not to disclose the facts

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and pressurised her to marry him. Thus the complainant gave the consent for marriage. On 8th May, 2016 Roka ceremony was performed between the petitioner and the complainant. However, thereafter the petitioner refused to perform the marriage. Thus according to the complainant the roka ceremony was only a ploy to escape from the criminal complaint.

3. When the matter came up before this Court on 30th August, 2016 the learned APP on instructions submitted that the petitioner had joined the investigation but given the incorrect address. He further stated that the petitioner had not handed over the memory card of the Motorola G-1 phone where the photographs of the complainant were uploaded which were required to be verified.

4. Today when the matter came up, learned APP for the State submits that the petitioner has joined the investigation and given his correct address which has been verified. He further states that the memory card of the mobile phone make Motorola G-1 of the complainant has not been handed over by the petitioner.

5. A perusal of the FIR reveals that the complainant stated that the memory card of her phone had been taken out by the petitioner. Till date no investigation whatsoever has been done by the Investigating Officer nor has he seized the Motorola G-1 phone of the complainant to find out whether the memory card therefrom had been taken out or whether the same was detachable or not. On a specific query raised, despite having given time no further proper investigation has been done by the Investigating Officer. The petitioner has placed on record the regular chats between the parties which prima facie do not support the allegations of the complainant.

6. Considering the facts and circumstances of the case and the fact that the petitioner has joined the investigation and still facts need to be verified from the complainant, I deem it fit to grant anticipatory bail to the petitioner. It is, therefore, directed that in the event of arrest the petitioner be released on bail on his furnishing a personal bond in the sum of ₹25,000/- with two sureties of the like amount, subject to the satisfaction of the Arresting Officer//SHO concerned, further subject to the condition that he will join the investigation as and when directed by the Investigating Officer and will not leave the country without prior permission of the learned Trial Court.
7. Petition and application are disposed of.
8. Order dasti.

MUKTA GUPTA, J.

OCTOBER 21, 2016
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