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

+ **BAIL APPLN. 1646/2016**

JITENDER

..... Petitioner

Through : Mr.Joginder Tuli with Mr.J.Tuli,
Ms.Ashu Kr.Sharma and Ms.Pooja
Arora, Advocates.

versus

STATE (NCT OF DELHI)

..... Respondent

Through : Mr.Kamal Kr.Ghei, APP.
SI Khushwan, PS K.Khajuri Khas.

CORAM:

HON'BLE MR. JUSTICE S.P.GARG

ORDER

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16.11.2016

(1) The petitioner seeks anticipatory bail under Section 438 Cr.P.C. in case FIR No.500/16 under Sections 376 IPC registered at Police Station Khajuri Khas. Status report is on record.

(2) I have heard the learned counsel for the parties and have examined the file. Status report reveals that the parties were acquainted with each other since long. The petitioner is the nephew of victim's grandmother and used to have frequent visits to her house. It further discloses that on 11.01.2013 the petitioner had established physical relations with the prosecutrix. Since the parties were related to each other, the matter was resolved at house. It is alleged that

again on 7.3.2016 when her grandmother was not at home, the petitioner raped her. The prosecutrix is aged around 17 years. It has not been explained as to why commission of rape in 2013 upon the prosecutrix when she was hardly fourteen years of age was not reported to the police and the matter was resolved at home.

(3) Considering the facts and circumstances of the case, the petitioner is admitted to anticipatory bail and in the event of his arrest, he be released on bail on his furnishing personal bond in the sum of ₹50,000/-with one surety in the like amount to the satisfaction of the SHO/Investigating Officer with the condition that he shall join the investigation as and when required. The petitioner shall not contact the prosecutrix and intimidate her in any manner.

(4) The bail application stands disposed of.

S.P.GARG, J.

NOVEMBER 16, 2016 /sa