

\$~33

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

+ **BAIL APPLN. 1688/2016**

RAJ VIMAL

..... Petitioner

Through : Mr.H.Kumar, Advocate with
Ms.Kanika Bajaj, Advocate.

versus

STATE (NCT OF DELHI)

..... Respondent

Through : Ms.Meenakshi Dahiya, APP.
Ms.Anjana Joshi, Advocate for the
complainant.
SI Pramod Kumar, PS Janakpuri.

CORAM:

HON'BLE MR. JUSTICE S.P.GARG

ORDER

% **22.09.2016**

1. The petitioner seeks anticipatory bail under Section 438 Cr.P.C. in case FIR No.528/2016 registered under Sections 376/506 IPC at PS Janakpuri. Status report is on record.

2. I have heard the learned counsel for the parties including the counsel for the complainant and have examined the file. In the complaint lodged with the police the complainant alleged that without disclosing that the petitioner was previously married, he performed marriage with her on 15.08.2004. The petitioner established physical relations with her on several occasions and she even became pregnant several times. She was forced to abort the pregnancies. She was blackmailed by the petitioner and his associates. She was forced to part with substantial amount.

3. There is considerable delay in lodging the FIR. The

complainant did not initiate any proceedings against the petitioner for long after coming to know about the previous marriage of the petitioner. She continued to maintain physical relations with the petitioner and as per her own version, she became pregnant on several occasions. The pregnancies were terminated but at no stage the complainant preferred to lodge any complaint against the petitioner. In the complaint, she has levelled various allegations against several persons on various counts. Learned counsel for the petitioner has pointed out that earlier in the FIR No. 540/2013 & FIR No.327/2008 registered at PS Janakpuri, the present complainant had claimed herself to be wife of Dr.Prashant Vashishtha. The petitioner has denied to have performed any marriage with the complainant.

4. Cross-case vide FIR No.529/2016 under Sections 384/388/509/506/109/34 IPC at PS Janakpuri has already been registered against the complainant on the complaint of petitioner's wife Sarita.

5. 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 ₹ 40,000/- 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.

6. The bail application stands disposed of.