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

+ **BAIL APPLN. 1084/2015**

TANUJ KANDPAL

..... Petitioner

Through : Mr.Satish Tamta, Advocate.

versus

STATE

..... Respondent

Through : Mr.Amit Gupta, APP.
Complainant in person.

CORAM:

HON'BLE MR. JUSTICE S.P.GARG

ORDER

% **30.03.2016**

1. The petitioner seeks anticipatory bail under Section 438 Cr.P.C. in case FIR No.32/2015 registered under Sections 354-A/354-B/323/376/506 IPC at PS Paschim Vihar. Status report is on record.

2. I have heard the learned counsel for the parties including the complainant in person and have examined the file. By an order dated 29.05.2015, the petitioner was granted interim protection and was directed to join the investigation as and when required. Undisputedly, the petitioner has joined the investigation since then. Learned APP informed that the charge-sheet has since been filed. Status report reveals that charge-sheet against the present petitioner and two other accused persons namely – Chander Shekhar and R.P.Singh (without arrest) has been filed. Initially, the FIR was lodged under Sections

354-A/506 IPC. There were no allegations of rape by the prosecutrix in her complaint. However, during the course of investigation, in her statement recorded under Section 164 Cr.P.C., the petitioner was implicated for putting fingers in her vagina and Sections 376/354-B/323 IPC were added. The complainant had declined to undergo internal medical examination.

3. 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 ₹50,000/- 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. The petitioner shall not contact the prosecutrix. He shall not intimidate her and her family members in any manner whatsoever.

4. The bail application stands disposed of.

S.P.GARG, J

MARCH 30, 2016 / tr