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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 2237/2016 & CrI.M.B. 1962/2016**
DINESH ANEJA Petitioner

Through Mr. Manoj Ohri, Sr. Advocate with
Mr. Kunal Madan, Advocate

versus

STATE OF DELHI Respondent
Through Mr. Hirein Sharma, APP for the State
Mr. Ramesh Gupta, Sr. Advocate with
Ms. Amrita Chatterjee, Advocate for
complainant

CORAM:
HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER
21.12.2016

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1. By the present petition, petitioner seeks anticipatory bail in case FIR 558/2016 under Sections 376/328/506 IPC registered at Ambedkar Nagar.

2. Learned counsel for the petitioner submits that the above noted FIR has been lodged as counter blast to FIR registered on the complaint of wife of petitioner against Rajat Kapoor being FIR No. 576/2016 under Sections 310/323/354/383/408/506 IPC on 8th September, 2016 at PS Suraj Kund, Faridabad

3. It is further stated that the claim of the complainant that she was not the wife of Rajat Kapoor nor had any live-in relationship is falsified from the fact that address of Rajat Kapoor in various documents is

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A-25, 3rd Floor, Paryavaran Complex, IGNOU Road, Neb Sarai, New Delhi which is also the address of the complainant in the above-noted FIR.

4. Ld. Counsel for the complainant submits that the complainant is neither the wife of the petitioner nor is in live-in relationship with him.

5. The allegations of the complainant in the written complaint filed on 19th September, 2016 are that she was being continuously raped and blackmailed by the petitioner. According to the complainant, the petitioner first met her in 2010 on her birthday who projected himself to be a businessman dealing in import and export of metal scrap. The petitioner stated that he was starting modelling and event company, and took the complainant for dinner on 10th June, 2016 at Suraj Kund and forced her to drink alcohol. When she fell unconscious, the petitioner raped her in a park in Madangir area at around 10 PM. On the next day at about 4:00 AM the petitioner forcefully abducted the complainant and detained her for 2-3 days in his Saket residence and forced her to make physical relationship with him and his business partners. The complainant stated that she was continuously tortured and therefore she changed her contact number and left Delhi and joined new job in Ludhiana. However, the petitioner came to know about her whereabouts and started blackmailing her. Thereafter, on 7th September, 2016 the complainant requested the petitioner not to blackmail her whereafter she was slapped and the petitioner and his accomplice Tofiq Khan, his body guard, and few other persons showed her a gun.

6. Considering the averments in the petition and two addresses i.e. of the complainant and Rajat Kapoor, against whom the petitioner's wife filed an FIR on 8th September, 2016, this court directed for filing a detailed status report. The factum that on complaint of the petitioner's wife, FIR has been lodged against Rajat Kappor on 8th September, 2016 being FIR 576/2016, as noted above, has been verified.

7. During investigation it has also been revealed that on 7th September, 2016 when the complainant alleged that the petitioner along with Tofiq Khan and others, threatened her, in fact, Tofiq Khan was not in Delhi and was in Nuh, Haryana as his cousin brother Md. Hanif Mustak had passed away. Further allegations of threat and harassment of the complaint have also not been fortified as in this regard statement of father of the complaint has also been recorded.

8. Considering the facts noted above and verification done during investigation, this court deems 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 bail 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 and will not leave the country without prior permission of the Court concerned.

9. Petition and application are disposed of. Order dasti.

MUKTA GUPTA, J

DECEMBER 21, 2016 /sm
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