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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 2505/2016**
DEEPAK MITTAL Petitioner
Through: Mr.Vivek Aggarwal, Adv.
versus

THE STATE (GOVT. OF NCT OF DELHI) Respondents
Through: Ms.Kusum Dhalla, APP for State
SI Manish Kumar, PS-Shalimar Bagh
Mr.Sunil Kumar, Adv. for R-2.

CORAM:
HON'BLE MR. JUSTICE I.S.MEHTA
ORDER
% **07.12.2016**

CRL.M.A.19065/2016

Exemption granted, subject to all just exceptions.

Application stands disposed of.

BAIL APPLN. 2505/2016

This is an application under Section 439 Cr.P.C. filed on behalf of the petitioner seeking grant of regular bail in case FIR No.560/2016, under Sections 354/376/511/506/34 IPC, registered at Police Station-Shalimar Bagh, Delhi.

Counsel for the petitioner has submitted that the petitioner got married with the victim on 27th April, 2016 and the victim remained at the matrimonial house for 2 ½ months and later on the victim visited her parental house on 8th July, 2016. He has further submitted that the allegations levelled against the petitioner is false and the petitioner being husband of the victim has not raped on the person of the victim. He has further submitted that the petitioner is in judicial custody since 5th

November, 2016 and is no longer required for further investigation. He has further submitted that no purpose will be served if the petitioner is kept for further period in judicial custody in the instant case and prays that the petitioner be released on regular bail.

On the other hand, learned APP for the State has vehemently opposed the bail application and submitted that the marriage between the parties was forcefully solemnized.

It is an admitted case of both the parties that the petitioner right now is in judicial custody since 5th November, 2016 therefore no further investigation is required. As per the petitioner, the marriage took place on 27th April, 2016 and the victim remained at the matrimonial house till 8th July, 2016. The FIR was registered on 31st August, 2016 and the petitioner is in judicial custody since 5th November, 2016.

The aforesaid facts on record makes a favourable position for the petitioner, consequently, the petitioner is granted bail on his furnishing a bail bond in the sum of Rs.20,000/- with one surety of the like amount to the satisfaction of the concerned Court below, with the condition that he should not influence the prosecution witnesses; he shall not tamper the prosecution evidence and he should not leave India without prior permission of the Court below.

The present bail application is disposed of accordingly. However, this order shall not affect the merit of the case.

Copy of the order be given *dasti* under the signatures of the Court Master.

I.S.MEHTA, J

DECEMBER 07, 2016/radhika