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

+ **BAIL APPLN. 2555/2016**

VISHAL GROVER

..... Petitioner

Through: Mr. Sunil K. Mittal, Mr. Vipin K. Mittal, Mr. Kshitij Mittal, Mr. Anshul Mittal, Mr. Sushant T. Bali & Mr. Viraj Sagar Das, Advocates.

versus

STATE

..... Respondent

Through: Mr. Rajat Katyal, APP and Ms. Ankita Goyal, Advocate along with Inspector Usha Sharma, PS-Hari Nagar, for the State.

CORAM:
HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER
19.12.2016

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Crl. M.A. No. 19409/2016

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

BAIL APPLN. 2555/2016

Issue notice. Mr. Katyal accepts notice.

The submission of learned counsel for the petitioner is that the relationship between the petitioner and the prosecutrix was consensual, and

it was not forcible or brutal. Learned counsel submits that the petitioner is ready & willing to join the investigation.

I have perused the FIR in question. The prosecutrix has alleged that for the first time physical relations were established between the parties in March 2014 at her own residence and since then they were in relationship. According to the prosecutrix, the petitioner had established physical relationship on the promise of marriage and he has backed out from the same. Whether or not there was promise of marriage for establishment of physical relationship is a matter of trial.

In these circumstances, I am inclined to allow this petition. In case of his arrest, the petitioner shall be entitled to be released on bail subject to:

- i) his furnishing personal bond with one surety in the sum of Rs.10,000/- to the satisfaction of the arresting officer;
- ii) he shall join the investigation as and when called for;
- iii) he shall provide his mobile phone number to the IO which shall be kept in working condition at all times. The same shall not be changed without prior intimation to the IO;
- iv) He shall not contact the prosecutrix or any other witness in the case and shall not try to influence any witness or tamper with evidence.

Dasti.

VIPIN SANGHI, J

DECEMBER 19, 2016

B.S. Rohella