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

+ **BAIL APPLN. 1500/2015**

MURARI LAL

..... Petitioner

Through : Mr.Ramashankar, Advocate with
Mr.Shivom Garg & Mr.R.P.Divedi,
Advocate.

versus

STATE

..... Respondent

Through : Mr.Amit Gupta, APP with W/SI
Sarita, PS Mundka.
Mr.Krishan Kuamr, Amicus Curiae
for the complainant along with
complainant in person.

CORAM:

HON'BLE MR. JUSTICE S.P.GARG

ORDER

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22.11.2016

1. The petitioner seeks anticipatory bail under Section 438 Cr.P.C. in case FIR No.102/2015 registered under Section 376 IPC at PS Mundka. 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. By an order dated 28.07.2015, 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. Counsel representing the complainant, on instructions, informs that the victim is not interested to pursue the petition and has no objection

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to the grant of bail. The petitioner and the prosecutrix were acquainted with each other. Victim's marriage with one Shishpal took place on 02.05.2009. Since her husband was not physically and mentally fit she came back to her parental home. After one and a half month the petitioner (her brother-in-law) took her back on the promise to marry her and established physical relations. The victim became pregnant and started residing with him. She gave birth to a daughter and a son. On 09.02.2015, the petitioner allegedly went to village after leaving her and children and did not respond thereafter.

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 ₹ 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.

4. The bail application stands disposed of.

S.P.GARG, J.

NOVEMBER 22, 2016 / tr