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

+ **BAIL APPLN. 2402/2015**

**ATUL SINGH**

..... Petitioner

Through: Mr. H.N. Pandey, Advocate.

versus

**STATE ( NCT DELHI)**

..... Respondent

Through: Mr. Ravi Nayak, APP for the State  
with W/SI Devender Kaur, PS  
Paharganj.

**CORAM:**

**HON'BLE MS. JUSTICE MUKTA GUPTA**

**ORDER**

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**22.07.2016**

1. By the present petition the petitioner seeks anticipatory bail in case FIR No. 646/2014 under Sections 376/506 IPC registered at PS Pahar Ganj, Delhi.

2. Learned counsel for the petitioner submits that the parties are distantly related and talks for marriage were going on between the parties however, the same fizzled out in view of the behaviour of the complainant. Prior to the lodging of the FIR by the complainant, the petitioner's family members had lodged complaints of threats.

3. Learned APP for the State submits that the allegations by the complainant are serious. The petitioner established relationship with her since 2010 and refused to marry in the year 2015 when the prosecutrix was compelled to lodge the FIR. Verification has also been done from the hotel

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where the two lived as husband and wife.

4. The above noted FIR was registered on the allegations that the petitioner established relationship with the complainant on false promise of marriage at hotel Orient Palace DX on 10<sup>th</sup> July, 2014. The complainant has admitted that the petitioner and the complainant were distantly related and were in relationship since 2010. On 15<sup>th</sup> August, 2015 in a meeting between the parents of the complainant and that of the accused, discussion for marriage was held however, the parents of the petitioner refused for marriage after that the complainant tried to convince the petitioner and his family members however, they refused for the marriage alliance. Thus she was compelled to lodge the FIR. The prosecutrix refused her internal examination saying that there were physical relations between the parties and same would not serve any purpose.

5. The petitioner has placed on record a complaint lodged by her mother Smt. Vidhya Singh on 29<sup>th</sup> July, 2015, that is, prior to 21<sup>st</sup> September, 2015 when the complainant lodged the above noted FIR. As per the complaint of the mother of the petitioner, lodged before the ACJM, Allahabad it is alleged that the complainant was pressurising the family for her marriage with her son whereas her son had no interest in marrying the complainant and apprehends that they would be implicated in a false case. The mother of the petitioner has also informed that they are receiving repeated threatening calls from the prosecutrix. Numbers of the mobile phone have been mentioned in the complaint.

6. Learned APP on instructions from the Investigating Officer further states that the petitioner has already joined the investigation.

7. Considering the facts and circumstances of the case, I deem 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 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 the petitioner will join the investigation as and when directed by the Investigating Officer and he will not leave the country without prior permission of the concerned court.

8. Petition is disposed of. Order dasti.

**MUKTA GUPTA, J.**

**JULY 22, 2016**

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