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* IN THE HIGH COURT OF DELHI AT NEW DELHI
+ BAIL APPLN. 2607/2015
JOGA SINGH

..... Petitioner

Through Mr Rajiv Gupta, Adv.
versus

THE STATE

..... Respondent

Through Mr Akshai Malik, Additional Public Prosecutor for
the State alongwith Sub Inspector Sanjay Sharma
Police Station Mehrauli, Delhi

CORAM:
HON'BLE MS. JUSTICE SUNITA GUPTA

ORDER

% 12.05.2016

This is application under Section 438 of Cr.PC moved by the petitioner for grant of anticipatory bail in case FIR No.2744/2015 under Ss 354/323/509/34IPC registered at Police Station Mehrauli, Delhi.

It is submitted by learned counsel for the petitioner that the instant FIR is totally based on falsehood and the same is the counterblast to the FIR No. 2443/2015 under S.308/34 IPC registered at Police Station Mehrauli, Delhi on the complaint of Ms. Rani Kaur against the complainant and her family members. Moreover, there is a gross delay of 9 days in lodging the instant FIR. The co-accused have already been granted bail. The petitioner has already joined investigation.

It is not disputed by learned Additional Public Prosecutor for the State that one FIR at the instance of Ms Rani Kaur, daughter of the petitioner has been lodged against the complainant and her family members under S.308/34 IPC prior to registration of this FIR. It is also not disputed that co-accused have already been granted bail. It is, however, alleged that there are specific allegations against the petitioner regarding molestation which are grave and serious in nature and, therefore, the petitioner is not entitled to grant of anticipatory bail.

Keeping in view the totality of the facts and circumstances of the case, the interim protection granted to the petitioner on 01.02.2015 and continued thereafter is hereby confirmed and it is ordered that in the event of his arrest:-

- (i) Petitioner be admitted to bail on his executing personal bond in the sum of Rs.15,000/- (Rupees Fifteen Thousand only) with one surety in the like amount to the satisfaction of the concerned I.O./SHO.
- (ii) He shall join the investigation as and when called for by the I.O.
- (iii) He shall furnish his address as well as his contact number to the Investigating Officer.
- (iv) He shall not threaten or coerce the complainant or her family members or any prosecution witness.

The application is accordingly disposed of.

Copy of this order be given *dasti* to counsel for the petitioner.

SUNITA GUPTA, J

MAY 12, 2016/rd