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

+ **BAIL APPLN. 2686/2015**

BRAHM DEV

..... Petitioner

Represented by: Mr. J.S. Arya, Advocate.

versus

STATE

..... Respondent

Represented by: Mr. Kewal Singh Ahuja, APP
for the State with SI Vineeta
Prasad, PS Subhash Place.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

16.08.2016

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1. By the present petition the petitioner seeks anticipatory bail in case FIR No.228/2015 under Sections 363/376/342/34 IPC read with Sections 23/26 Juvenile Justice (Care and Protection of Children) Act, 2015 (in short 'JJ Act'), Sections 4/6 of the Protection of Children from Sexual Offences Act (in short 'POCSO Act').

2. The complainant in the FIR stated that she had come to Delhi with a friend's sister in a train to see India Gate. At Delhi she along with friend's sister, Sunil and one unknown boy reached the Railway Station where one person named Chaudhary picked them up in the car and took them to Shakurpur. Thereafter Chaudhary took her to a room and her friend's sister, Sunil and the unknown boy disappeared. Chaudhary locked her in a room where she met one Pooja who was also locked there since several days. The room where both the prosecutrix and Pooja were locked was at the fourth

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floor. After two weeks Chaudhary stated to the prosecutrix that he wanted to marry her which she refused. On the next day Chaudhary called her at the ground floor in the presence of one lady Shanti and committed wrong act with her. Thereafter Shanti took her to the room on the fourth floor and locked her again. Next day Shanti gave them food and left but forgot to lock the room. They locked the room from inside and at night, the prosecutrix and Pooja reached Punjabi Bagh by a TSR. Pooja took her to a placement agency at Punjabi Bagh where they were sent to Meerut for two months. There she told her co-worker Sangita that she did not want to work over there. Sangita called Deepak Placement Agency and the prosecutrix was brought back to Delhi. The prosecutrix was placed at Greater Kailash where she disclosed these facts to Mrs. Vedi and that she was less than 18 years of age who took her to PS Greater Kailash and got lodged the FIR.

3. The petitioner has been identified as Chaudhary who committed wrong act at Shakurpur contrary to the wishes of the prosecutrix. Considering the allegations against the petitioner, merely because the prosecutrix in the first FIR being FIR No.393/2014 registered in the month of September, 2014 after about two months of coming to Delhi, the prosecutrix did not name the petitioner, I do not find it to be a fit case to grant anticipatory bail to the petitioner.

4. Petition is dismissed.

MUKTA GUPTA, J.

AUGUST 16, 2016/‘vn’

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