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

+ **BAIL APPLN. 2704/2015**

SUSHIL CHANDRA

..... Petitioner

Represented by: Mr. S.P. Jha, Advocate.

versus

STATE OF NCT (DELHI)

..... Respondent

Represented by: Mr. Hirein Sharma, APP for
the State with Inspector Anand
Lakhra, SHO and SI Gaurav
Singh, PS Pandav Nagar.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

02.08.2016

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1. By the present petition the petitioner seeks anticipatory bail in case FIR No. 844/2015 under Sections 376/506 IPC registered at PS Pandav Nagar, Delhi.

2. Learned counsel for the petitioner submits that the petitioner is a gazetted officer working as a lecturer in the Aryabhatt Polytechnic, Govt. of NCT of Delhi. The complainant was working in the office of the petitioner since the year 1994 when they came to know each other. She was staying in the PG Women's hostel and attended the marriage of the petitioner which was performed in the year 1995. The prosecutrix also attended different functions at the house of the petitioner including Namkaran ceremony of his son, house warming ceremony of his brother-in-law at Noida and also undertook religious trip to Mata Vaishno Devi with the entire family of the

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petitioner including his wife and sister in the year 2005. The petitioner and the complainant had purchased a flat with common funds in the year 2005 however, when she started pressurising him the petitioner withdrew his name and handed over the said flat to the complainant. Despite distancing from the complainant, the prosecutrix has now lodged the present FIR.

3. Learned APP for the State has taken me through the FIR and the status report.

4. The allegations of the prosecutrix against the petitioner are that she was working in the office of the petitioner since 1994 while she was staying in the working women hostel. Thereafter the prosecutrix shifted to a flat at Pandav Nagar, Mayur Vihar. Since then the petitioner had been establishing relations with her on the assurance that he would marry her soon. When the prosecutrix came to know that the petitioner was already married and was having a son, the petitioner informed her that he was not the biological father of his son, that his marriage had fallen apart, he and his wife were living separately and assured that the divorce was in progress. It is also alleged that the petitioner showed obscene pictures to his friends and colleagues in the college.

5. A perusal of the material on record which also includes the photographs of the wedding and Namkaran ceremony of the petitioner besides their visit to Mata Vaishno Devi, prima facie shows that the complainant was aware of the marital relations of the petitioner and that he had a son. Since the complainant was aware that the petitioner is married and having a child, the allegations that she was assured of marriage on the ground that their relations have fallen apart is difficult to countenance.

6. Considering the facts and circumstances of the case, it is a fit case for grant of anticipatory bail. 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 one surety 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 Court.

7. Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

AUGUST 02, 2016
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