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

+ BAIL APPLN. 218/2017

MANINDER AHLUWALIA

..... Petitioner

Through: Mr. Nikhilesh Kumar and Mr. Gaurav
Sahdev, Advs.

versus

STATE (NCT OF DELHI)

..... Respondent

Through: Mr. Amit Chadha, APP for the State
with W/SI Kailash, P.S. Janakpuri.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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03.02.2017

By this application, petitioner seeks anticipatory bail. It is submitted that prosecutrix is more than 50 years of age having adult children. Disputes arose between the petitioner and prosecutrix on some money transactions. Petitioner has been falsely implicated by the prosecutrix.

Learned APP for the State has opposed the grant of anticipatory bail to the petitioner. It is contended that prosecutrix is a widow. She intended to marry again. Petitioner came in contact with prosecutrix through the website Shadi.com. Petitioner showed his willingness to meet the prosecutrix, who is a resident of Ludhiana. He called the prosecutrix to Delhi. Accordingly, prosecutrix came to Delhi to meet the petitioner. She was carrying ₹1.55 lacs with her. Petitioner promised the prosecutrix that he will marry her at Bangla Saheb Gurudwara and thereafter they would leave

for United States. He told her to get the money exchanged in dollars. Petitioner took money from the prosecutrix. Petitioner raped the prosecutrix twice at his residence. Petitioner took the prosecutrix to Jaipur on the pretext that his daughter wanted to meet her.

In Jaipur petitioner and prosecutrix checked in DODAS palace hotel. Petitioner told the prosecutrix that he was going to take his daughter. He left the room and did not return thereafter. Prosecutrix had to sell her ring to return to Delhi to lodge the FIR against the petitioner, as her complaint was not entertained by the Jaipur police on the pretext that rape was committed in Delhi. It is submitted that custodial interrogation is required, inasmuch as money is yet to be recovered.

Keeping in mind the above facts, I am of the view that petitioner is not entitled to the benefit of anticipatory bail. Application is dismissed.

A.K. PATHAK, J.

FEBRUARY 03, 2017

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