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

+ BAIL APPLN. 99/2017
GAURAV

..... Petitioner

Through : Mr. Narender Kumar and Mr. B. K.
Roy, Advs.

versus

THE STATE

..... Respondent

Through : Dr. M. P. Singh, APP with SI G. N.
Tiwari PS Subzi Mandi.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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23.03.2017

Learned counsel for petitioner submits that as per statement under Section 164 Cr.P.C. itself, it is clear that prosecutrix, aged 22 years, was in love with petitioner. She alleged that petitioner made relations with her in the night of 31st January, 2015 against her wishes. She has not alleged in her statement that petitioner promised to marry her before making the relations with her. Contrarily, in her statement under Section 164 Cr.P.C. she has stated that in the morning she was feeling pain and when she asked him as to what he did with her, he promised to marry her. Prosecutrix has further stated that she did not leave the petitioner's house immediately but continued to stay there for two more days. FIR has been lodged in the

month of September, 2016, that is, after more than one and a half years. Petitioner has been falsely implicated.

Learned Additional Public Prosecutor has opposed the grant of anticipatory bail to petitioner. It is submitted that petitioner had induced the prosecutrix and raped her on several occasions, on the pretext of marrying her. Finally, he refused to marry her.

Keeping in mind the totality of facts and circumstances, as narrated above, it is ordered that in case of arrest petitioner be released on bail subject to his furnishing a personal bond in the sum of ₹25,000/- (Rupees Twenty Five Thousand Only) with one surety of the like amount to the satisfaction of Arresting Officer/Investigating Officer/SHO concerned.

Application is disposed of in the above terms.

A.K. PATHAK, J.

MARCH 23, 2017/dk