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

+ **BAIL APPLN. 126/2017**

MOHD SAJID

..... Petitioner

Through: Mr. Alamgir, Advocate.

versus

STATE (NCT OF DELHI)

..... Respondent

Through: Mr. Mukesh Kumar, APP along with
SI Rishi Sharma, PS-Jamia Nagar, for
the State.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER

23.01.2017

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Crl. M.A. No. 1209/2017

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

BAIL APPLN. 126/2017

The petitioner has preferred the present petition to seek anticipatory bail apprehending arrest in case FIR No.1362/2016 registered under Section 354(D) IPC and Section 12 of the Protection of Children from Sexual Offences Act, at PS – Jamia Nagar, Okhla, New Delhi.

The allegation against the petitioner is that he was taking tuition

classes of the prosecutrix at his residence. While doing so, the petitioner sought to make gestures and advances towards the prosecutrix and even sent objectionable Whatsapp messages on the mobile phone of the prosecutrix. According to the prosecutrix, the petitioner even threatened to fail her in her examination in case she does not come around.

The statement of the prosecutrix has been recorded under Section 164 Cr.P.C. The same has been read before the Court. Some of the Whatsapp messages retrieved from the mobile phone of the prosecutrix have also been shown to the Court.

The investigation is still at a preliminary stage. The mobile phone instrument of the petitioner is required to be seized and his custodial interrogation is necessary looking to the extent and the nature of the communications exchanged between the petitioner and the prosecutrix, and considering the fact that he was a tuition teacher and, therefore, had no business to have social exchange with her.

The bail application is devoid of merit and is dismissed.

VIPIN SANGHI, J

JANUARY 23, 2017

B.S. Rohella