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

+ **BAIL APPLN. 374/2017**

PANKAJ KATYAL

..... Petitioner

Through : Mr.Narender Sharma, Advocate with
Mr.Rajesh Sharma, Advocate.

versus

STATE (NCT OF DELHI)

..... Respondent

Through : Ms.Meenakshi Dahiya, APP with
W/SI Munesh, PS Anand Vihar.
Complainant in person.

AND

+ **BAIL APPLN. 436/2017**

SUDHIR SOBTI

..... Petitioner

Through : Mr.Narender Sharma, Advocate with
Mr.Rajesh Sharma, Advocate.

versus

STATE (NCT OF DELHI)

..... Respondent

Through : Ms.Meenakshi Dahiya, APP with
W/SI Munesh, PS Anand Vihar.
Complainant in person.

CORAM:

HON'BLE MR. JUSTICE S.P.GARG

ORDER

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24.05.2017

1. The petitioners seek anticipatory bail under Section 438 Cr.P.C. in case FIR No.542/2014 registered under Sections 376D/506 IPC at PS Anand Vihar. Status report is on record.

2. I have heard the learned counsel for the parties including the complainant in person and have examined the file. Complainant did

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not oppose grant of bail to the petitioners. She stated that no incident of rape had taken place.

3. Record reveals that initially the FIR was registered under Sections 354A/509 IPC and both the petitioners were arrested and released on bail in the said case. Subsequently, Sections 376D/506 IPC were added.

4. Learned APP fairly admitted that in her statement under Section 164 Cr.P.C. the prosecutrix did not level allegations of commission of rape. The prosecutrix was aged around 38 years on the day of incident. She did not lodge the FIR promptly.

5. Considering the facts and circumstances of the case, the petitioners are granted anticipatory bail and in the event of arrest, they be released on furnishing personal bond in the sum of ₹ 40,000/- with one surety each in the like amount to the satisfaction of the SHO/Investigating officer. They shall, however, join the investigation as and when required.

6. The bail applications stand disposed of.


S.P.GARG, J

MAY 24, 2017 / tr