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

+ **BAIL APPLN. 482/2017**

RAJESH

..... Petitioner

Represented by: **Mr. Gaurav Kochar, Advocate**

versus

THE STATE

..... Respondents

Represented by: **Mr. Ravi Nayak, APP for the
State with W/SI Nirmala, PS
Shakarpur
Parents of the complainant in
person.**

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

12.04.2017

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1. By the present petition petitioner seeks bail in case FIR No.895/2016 under Sections 354/354A/506 IPC and Section 8 of Protection of Children from Sexual Offences Act, 2012 (in short 'POSCO Act') registered at PS Sakur Pur, Delhi.

2. Learned counsel for the petitioner submits that the petitioner is in custody for more than four months and the charge sheet has already been filed. Petitioner is the only earning member in the family and has two minor children to look after. He further states that a settlement has been arrived at between family members of the petitioner and parents of the minor complainant.

3. The allegations against the petitioner in the aforementioned FIR by the complainant are that she was learning to play guitar in the institute of

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petitioner. Besides her, 5-6 other students were also there. On 17th December, 2016 after all the students left the class, the complainant was asked to stay back on the pretext that she had missed many classes. Thereafter the petitioner caught hold of the complainant and kissed her. He also tried to disrobe and commit rape on her. She objected, pushed the petitioner aside and freed herself from the clutches of the petitioner.

4. The petitioner was arrested on 18th December, 2016 and is in custody since then. Charge sheet has already been filed. Since the investigation is complete and as stated by the parents of the complainant, who are present in the Court and are identified by the Investigating Officer that the families have settled the matter and they do not want to pursue the case, this court deems it fit to grant bail to the petitioner.

5. Considering the facts noted above, it is, therefore, directed that petitioner be released on bail on his furnishing a personal bond in sum of ₹25,000/- with two sureties in the like amount, subject to the satisfaction of the learned Trial Court, further subject to the condition that the petitioner will not leave the country without prior permission of the concerned court and in case of change of address the same will be intimated to the court concerned by way of an affidavit.

6. Bail application is disposed of. Order dasti.

MUKTA GUPTA, J.

APRIL 12, 2017/‘sm’

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