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

+ **BAIL APPLN. 753/2016**

RAKESH SHARMA

..... Petitioner

Represented by: Mr. R.D. Rana with Mr. Arvind
Sharma and Saurabh, Advs.

versus

THE STATE (NCT OF DELHI)

..... Respondent

Represented by: Mr. Ashok Kumar Garg, APP
with Mr. Romil Baaniya,
DCP/SE, Mr. Amit Goel,
ACP/Kalkaji, Mr. Arvind
Kumar, SHO/Govind Puri and
SI Nirmala Singh, PS Govind
Puri.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

27.02.2017

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1. The concerned DCP and ACP are present along with SHO, PS Govind Puri. Mr. Romil Baaniya, DCP South East District states that he will ensure that there is a mechanism in the district to supervise the investigation and that during the course of investigation all material and relevant evidence is collected to unearth the truth.

2. The petitioner seeks anticipatory bail in case FIR No.1542/2015 under Sections 376/506 IPC registered at PS Govind Puri. The allegations against the petitioner are that on 18th June, 2007 he took the complainant to his mother's house on the pretext of performing pooja whereafter by giving her some intoxicant in Pepsi, he committed physical relationship with her and

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prepared a video on his mobile phone. It is further alleged that the petitioner represented that he was unmarried and on the false pretext of marriage, he continued physical relationship with the complainant till she got to know that petitioner was a married man. The petitioner assured the complainant that he would soon seek divorce from his wife and in this respect also showed her copy of the divorce petition.

3. Since no proper investigation has been carried out, the DCP concerned was summoned who states that mobile phone of the complainant and the petitioner have been seized which shows that the complainant had been sending SMS to the wife of the petitioner in abusive language.

4. The complainant in the FIR mentions that in the year 2008, she got to know about the marital status of the petitioner. A perusal of the record and the investigation reveals that even after the marital status of the petitioner was revealed to the prosecutrix, she continued with the relationship and in this context, verification has been done from various hotels and it was found that the petitioner along with the complainant had visited in those hotels in the year 2015.

5. Considering the nature of allegations and facts revealed during investigation, this Court deems it fit to grant anticipatory bail to the petitioner. It is thus directed that in the event of arrest, the petitioner be released on bail on his furnishing a personal bond in the sum of ₹25000/- with one surety of the like amount, subject to the satisfaction of Arresting Officer/SHO concerned and further subject to the condition that the petitioner will join the investigation as and when directed and will not leave the country without prior permission of the Court concerned. Further the

change of residential address if any will be intimated to the Trial Court by the petitioner.

6. Petition is disposed of.
7. Order dasti.

MUKTA GUPTA, J.

FEBRUARY 27, 2017
‘v mittal’