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

+ **BAIL APPLN. 595/2017**

VIPIN UPRETI Petitioner
Through: Mr.M.P.Sinha, Adv.

versus

STATE (GOVT OF NCT OF DELHI) Respondent
Through: Ms.Neelam Sharma, APP.
W/ASI Sumita, P.S.Jagat Puri.

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

% **08.05.2017**

The petitioner who is said to be the maternal uncle of the complainant seeks bail in connection with FIR No.40/2017 dated 28.01.2017 (P.S.Jagat Puri) instituted for offences under Sections 328/376/506 IPC.

The petitioner is in custody since 29.01.2017.

The complaint discloses facts which do not inspire confidence.

The complainant is said to have visited the house of the petitioner when the petitioner undertook to take care of her studies. Later sexual advances were made towards her. The complainant returned to her home, only to come back again for some purpose. The further allegation in the FIR is that the complainant was subjected to rape a number of times and she did not report the matter to the police for the fear of her being exposed. She had been threatened by the petitioner that a video has been made which would be spread around.

The complainant appears to be 23 years of age.

Considering the nature of accusation, the delay in approaching the police and insufficient explanation for such delay as also taking into account the period of custody of the petitioner, this Court is inclined to grant bail to him.

The investigation of this case has been completed but charges are yet to be framed.

Let the petitioner be released on bail on his furnishing a bond in the sum of Rs.10,000/- with two sureties of like amount to the satisfaction of the Trial Court.

The petitioner, after his release on bail shall not contact the prosecutrix or her family members. He will participate in the trial and would not try to delay the conclusion of the trial. Should the petitioner make any attempt towards delaying the process of trial, it would be open for the prosecutrix/State to seek cancellation of his bail.

The application is allowed.

ASHUTOSH KUMAR, J

MAY 08, 2017

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