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

+ **BAIL APPLN. 1038/2016**

AMIT

..... Petitioner

Represented by: **Mr. Sumit Choudhary,**
Advocate.

versus

THE STATE (GOVT OF NCT OF DELHI)

..... Respondent

Represented by: **Mr. Hirein Sharma, APP for**
the State with SI Mahesh
Kumar, PS S.B. Dairy.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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19.01.2017

1. By the present petition the petitioner seeks anticipatory bail in case FIR No. 1355/2015 under Sections 376/506 IPC registered at PS Shahbad Dairy, Delhi.

2. The allegations by the prosecutrix in the FIR were that she was working as a helper in the office and when she was alone on 21st November, 2015 at about 2.30 PM the petitioner, who was known to the owner of office, enquired about the owner. The prosecutrix told that the owner would come in a while and when she was sitting on the sofa the petitioner tied her mouth and pulled off her clothes and raped her without her consent. He further threatened her not to disclose the facts. Due to threats and fear of the petitioner, she did not disclose the facts to anyone and went to her house. She later joined the office on 25th November, 2015 and narrated the incident

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to the owner who counselled her whereafter she went to the police station and got the case registered.

3. During the course of investigation, the petitioner produced telephonic conversation between him and the prosecutrix where she was demanding money from him. The mobile phone where the conversation was recorded has already been seized by the police and in view of the conversation recorded therein FIR No. 323/2016 under Sections 389/34 IPC has been registered against the prosecutrix and two of her accomplice.

4. Considering the facts revealed in the investigation and the fact that the petitioner has joined the investigation this Court deems it fit to grant anticipatory bail to the petitioner. It is, therefore, directed that in the event of arrest the petitioner be released on bail on his furnishing a personal bond in the sum of ₹25,000/- with one surety of the like amount subject to the satisfaction of the Arresting Officer/SHO concerned, further subject to the condition that he will join the investigation as and when directed by the Investigating Officer and will not leave the country without permission of the Court concerned.

5. Petition is disposed of.

6. Order dasti.

MUKTA GUPTA, J.

JANUARY 19, 2017
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