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

+ **BAIL APPLN. 659/2017**

SURINDER PAL SINGH Petitioner

Through: Mr. Rajat Sharma & Mr. Chetan
Sharma, Advs.

versus

THE STATE NCT OF DELHI Respondent

Through: Mr. Akshai Malik, APP for State with
SI Sachin Kumar, PS Amar Colony.

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

% **17.04.2017**

Crl.M.A. 6094/2017 (exemption)

Allowed, subject to all just exceptions.

BAIL APPLN. 659/2017 & Crl.M.B. 662/2017

The FIR of this case was registered at the instance of the applicant S.P. Singh, he being the Vice Principal of the institution for the blind where it is alleged that an incident of penetrative sexual assault punishable under Section 4 of the Protection of Children from Sexual Offences Act, 2012 and Section 3 of Indian Penal Code, 1860 took place on 1.1.2017 involving two persons (victim and the perpetrator), both inmates of the institute. The complaint itself brought out that similar incident involving same person as the perpetrator had earlier occurred on 20.12.2016, it being a case of attempted sexual assault over another child. It is the non-reporting of the said earlier incident which is the basis of Section 21 of POCSO being invoked against the applicant.

The Additional Public Prosecutor states that given the conduct of the applicant in duly reporting the second incident, the charge-sheet that has been prepared is being submitted to the competent Court without arresting the applicant.

Having regard to the facts and circumstances, assuming the allegations made against him to be correct, the applicant having purged to some extent his earlier default in due compliance of law, a case for anticipatory bail is made out.

In the event of arrest, he is directed to be released on bail on he furnishing a personal bond in the sum of Rs. 20,000/- with one surety in the like amount to the satisfaction of the Arresting Officer subject to the condition that he shall join investigation as and when required by the police.

This order shall inure till the first appearance before the competent Court, in the event of process being issued against him on the charge-sheet which is expected to be filed by the investigating officer.

Dasti.

R.K.GAUBA, J

APRIL 17, 2017

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