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

+ **BAIL APPLN. 1553/2016**

PRADEEP KUMAR PRASAD

..... Petitioner

Represented by: Mr. Manoj Ohri, Sr. Adv. with
Mr. Neelkanth, Adv.

versus

STATE (NCT OF DELHI)

..... Respondent

Represented by: Ms. Rajni Gupta, APP with SI
Amit Solanki PS Vasant Vihar.
Mr. Shakuntala Verma, Adv.
for complainant.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER
31.01.2017

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1. By the present petition the petitioner seeks anticipatory bail in case FIR No.659/2016 under Sections 376/354/354D/506 IPC PS Vasant Vihar.

2. In the complaint, the prosecutrix stated that on 18th May, 1994 she got married. Prior to the marriage, her father had shortlisted two-three marriage proposals out of which one was of the petitioner. Despite the fact that the petitioner was rejected by her father as he has no parents, the petitioner used to frequently come to their house and the families had good relations. In May 2011 after marriage she went to meet her parents and stayed back at night. On the next day when her parents and her brother were outside, the petitioner came to her house at around 12.00 Noon. While she was coming

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out of the bathroom, petitioner pulled her gown, dragged her to the bedroom and clicked her photographs. He also molested her. It is alleged that on the strength of the said photographs, the petitioner called her to various hotels and established physical relationships.

3. A perusal of the complaint shows that though the allegations were of forcible physical relations from the period 2011 to 2014, however the FIR was lodged only on 7th June, 2016. Further the petitioner has placed on record transcripts to show that it was rather vice-versa and the complainant had a liking for the petitioner. Further verification has also been done from the various hotels which the complainant alleged that she was taken to, however no entry was found of the petitioner or the petitioner and the prosecutrix visiting the same during the concerned period. Though the husband of the complainant gave a complaint alleging that he had been receiving threatening calls from different numbers on his mobile phone, however the ownership of the number from which calls were received on the mobile of the husband of the complainant could not be traced.

4. Considering the nature of allegations, the fact that the FIR was registered belatedly, facts verified during investigation and that the petitioner has already 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 and will not leave the country without the prior permission of the Court concerned.

5. Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

JANUARY 31, 2017
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