

\$~1

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 649/2017**

HITESH Petitioner

Through: Mr.B.S.Rana, Adv.

versus

THE STATE (NCT OF DELHI) Respondent

Through: Ms.Kusum Dhalla, APP for State
SI Tejawati, PS-Alipur
Mr.Saurabh Singhal, Adv. for
complainant.

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

%

22.05.2017

The petitioner seeks anticipatory bail under Section 438 Cr.P.C. in case FIR No.75/2017, under Sections 323/341/509/427/376/452/506/34 IPC, registered at Police Station-Alipur, Delhi.

Learned counsel for the petitioner submit that the petitioner is an innocent person and has no nexus with the FIR in question. He further submits that Section 376 IPC was added later on. He further submits that the petitioner has already joined investigation and nothing is to be recovered at the instance of the petitioner and the petitioner is not required for custodial investigation. He further submits that the petitioner is ready to join further investigation as and when required and prays that the petitioner be granted anticipatory bail.

Learned APP for the State and Mr.Saurabh Singhal, Advocate for the complainant vehemently oppose the bail application. However, the

learned APP on instructions from the Investigating Officer admits that the petitioner has joined the investigation.

Considering the facts and circumstances of the case, the petitioner is directed to join the investigation and in the event of his arrest, he be released on bail, on his furnishing bail bond in the sum of Rs.20,000/- with one surety of the like amount to the satisfaction of the SHO/Investigating officer concerned with the condition that the petitioner shall not influence the prosecution witnesses; the petitioner shall not contact, threaten or coerce the victim or any of her family members or to indulge in any illegal activities; the petitioner shall not tamper the prosecution evidence and the petitioner should not leave India without prior permission of the Court below.

The present bail application is allowed and disposed of accordingly.

Copy of this order be given *dasti*.

I.S.MEHTA, J

MAY 22, 2017/sr