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

+ BAIL APPLN. 692/2017

MS ARTI

.....Petitioner

Through : Mr. Mir Akhtar Hussain, Advocate.

Versus

STATE & ANR.

.....Respondents

Through : Mr. Mukesh Kumar, APP for the State.

CORAM:

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

06.07.2017

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1. The petitioner seeks grant of anticipatory bail in FIR No. 205/2017 under Section 354 of Indian Penal Code read with Section 8 and 10 of the Protection of Children from Sexual Offense Act and Section 23 of Juvenile Justice Act registered on the complaint of an NGO at Police Station Mehrauli, South Delhi.

2. The brief facts as per the complaint are that 'M', a 11 year old girl resides with her grandmother at Maidan Garhi; that the petitioner is the cousin sister of 'M'; that the petitioner used to take 'M' to her residence at Chhatarpur Enclave; that the petitioner forced 'M' to do household work and on refusal gave beatings to her; that the brother-in-law of the petitioner used to molest her.

3. Mr. Mir Akhtar Hussain, learned counsel for the petitioner argued that the petitioner is innocent and had been falsely implicated at the behest of the uncle of 'M' despite the fact that the petitioner treated 'M' like her own daughter and looked after her studies, daily needs etc. He further submits that the petitioner is available and ready to join investigation as and when required.

4. On the other hand, learned APP for the State has argued that the allegations leveled in the FIR are serious and grave in nature, investigation is at initial stage and the custodial interrogation of the petitioner is thus required for collecting the material evidence.

5. I have heard the learned counsel for the parties at length and perused the material available on record.

6. Perusal of the record shows that 12 photographs have been filed on behalf of the petitioner. It appears from these photographs that 'M' was enjoying the company of the petitioner in a hill station and that her birthday was celebrated with pomp and show in the presence of her grandmother, petitioner and many others. Rather, there is nothing to suggest that 'M' was being inhumanely treated.

7. In view of the above circumstances, I deem it fit to grant anticipatory bail to the petitioner subject to the following conditions:

- i) That the petitioner shall furnish a personal bond in the sum of **Rs.25,000/-** with one surety of the like amount subject to the satisfaction of Arresting Officer/SHO concerned;

- ii) that the petitioner shall cooperate with the investigation and make herself available for interrogation by police officer as and when required;

9. Application stands disposed of.

SANGITA DHINGRA SEHGAL, J

JULY 6, 2017

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