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

+ **BAIL APPLN. 1771/2016**

DANISH ALI

..... Petitioner

Through : Mr.Nitesh Kumar Singh, Advocate.

versus

STATE OF NCT OF DELHI

..... Respondent

Through : Mr.Amit Gupta, APP.

Ms.Sunieta Ojha, Advocate for the
complainant.

CORAM:

HON'BLE MR. JUSTICE S.P.GARG

ORDER

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18.04.2017

1. The petitioner seeks anticipatory bail under Section 438 Cr.P.C. in case FIR No.91/2016 registered under Sections 376/323/384/506 IPC at PS Parliament Street. Status report is on record.

2. I have heard the learned counsel for the parties including the counsel for the complainant and have examined the file. By an order dated 30.08.2016, the petitioner was granted interim protection and was directed to join the investigation as and when required. Undisputedly, the petitioner has joined the investigation since then.

3. Status report reveals that the petitioner and the prosecutrix were acquainted with each other since July, 2010. The alleged incident whereby the prosecutrix was ravished took place on 31.12.2010. The

prosecutrix, however, did not lodge any complaint that time. The parties continued to meet each other at various places. The prosecutrix even issued various cheques in favour of the petitioner. As per FIR, she was taken to various hotels at different places. When she was allegedly maltreated on 30.04.2016 and 02.05.2016, she did not lodge any complaint; she did not get herself medically examined. When the prosecutrix came to know petitioner's affair with a girl Neha, seemingly, she lodged the complaint in question. Number of photographs and whats-app messages have been placed on record showing cordial relations between the prosecutrix and the petitioner.

4. Considering the above facts and circumstances, the petitioner is granted anticipatory bail and in the event of arrest, he be released on furnishing personal bond in the sum of ₹ 50,000/- with one surety in the like amount to the satisfaction of the SHO/Investigating officer. He shall, however, join the investigation as and when required. He shall not contact the prosecutrix; shall not criminally intimidate her in any manner.

5. The bail application stands disposed of.

S.P.GARG, J.

APRIL 18, 2017 / tr