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

+ **BAIL APPLN. 1766/2016**

DEEPAK DAGAR

..... Petitioner

Through : Mr.Rajiv Khosla, Advocate with
Mr.Ajeet Tyagi, Advocate.

versus

STATE

..... Respondent

Through : Mr.Amit Gupta, APP with SI Sumitra
Sharma, PS Rajouri Garden.
Mr.Manish Miglani, Advocate for the
complainant.

CORAM:

HON'BLE MR. JUSTICE S.P.GARG

ORDER

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08.02.2017

1. The petitioner seeks anticipatory bail under Section 438 Cr.P.C. in case FIR No.637/2016 registered under Sections 323/354B/376/506 IPC at PS Rajouri Garden. Status report is on record.

2. I have heard the learned counsel for the parties 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. Notice was given to the complainant to file response; she did not avail the opportunity. A request dated 07.02.2017 for discharge of her counsel has been placed on record. The complainant has opted not to appear to contest the bail application.

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4. The prosecutrix is a divorcee lady having a child aged around 8 years from her previous husband. Status report reveals that she met the appellant in a party and thereafter both started living together. In December, 2014 when the petitioner got married, the complainant declined to live with him. Allegedly the petitioner made physical relations with the complainant on the alleged promise to marry her after giving divorce to his wife.

5. Considering the facts and circumstances of the case, the petitioner is granted anticipatory bail and in the event of arrest, he be released on furnishing personal bond in the sum of ₹ 40,000/- 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.

6. The bail application stands disposed of.

S.P.GARG, J.

FEBRUARY 08, 2017 / tr