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

+ BAIL APPLN. 799/2017

SUNIL KUMAR

..... Petitioner

Through: Ms. Rakhi Dubey, Advocate

versus

STATE (NCT OF DELHI)

..... Respondent

Through: Mr. Amit Chadha, APP for the State
with WSI Suman, PS Karol Bagh.

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

% **02.05.2017**

The applicant seeks anticipatory bail under Section 438 Cr.P.C. in the context of allegations made against him in FIR No.103/2017, under Section 376 IPC of Police Station Karol Bagh which was registered on 05.04.2017.

Status report has been filed. Learned counsel on both sides have been heard. The case diary has been perused.

The prosecutrix claims to be employed as a staff nurse. It is her own case in the FIR that she had befriended the petitioner sometime in 2014 where after she was moving around with him, even staying in hotels together with him, engaging in physical relationship, *prima facie*, out of her own free will and consent. Though, it does appear that the prosecutrix refers to the promise on the part of the petitioner for marriage, what appears to have remained unsubstantiated so far in the investigation is her further allegation that the petitioner had taken Rs.20 lacs from her in cash, the source of which

she has not been able to account for.

In the facts and circumstances of the case, the application is allowed. It is directed that in the event of he being arrested the petitioner shall be released on bail on he furnishing personal bonds in the sum of Rs.25,000/- with one surety in like amount to the satisfaction of the arresting officer subject to the conditions that he shall continue cooperating with the investigation and join the same as and when called upon to do so and shall not come in contact with or try to influence any of the witnesses connected to the case.

It is made clear that this order will inure only till the date of first appearance of the petitioner in the event of a charge-sheet being filed on conclusion of the investigation and process being issued against him by the court of cognizance.

Dasti.

R.K.GAUBA, J.

MAY 02, 2017

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