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

+ **BAIL APPLN. 837/2017**

SHAHZAD KHAN & ANR

.... Petitioners

Represented by: Ms.Prabha Mishra for
Mr.Habibur Rahman, Advocate
with petitioners in person

versus

THE STATE & ANR

.... Respondents

Represented by: Mr.Amit Gupta, APP for the
State with SI Ashwani Kumar,
PS Jyoti Nagar

+ **BAIL APPLN. 838/2017**

SHAHZAD KHAN & ANR

... Petitioners

Represented by: Ms.Prabha Mishra for
Mr.Habibur Rahman, Advocate
with petitioners in person

versus

THE STATE & ANR

.... Respondents

Represented by: Mr.Amit Gupta, APP for the
State with SI Meenakshi, PS
Jagat Puri

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

29.11.2017

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1. By these petitions, petitioner No.1 seeks anticipatory bail in FIR
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No.207/16 and FIR No.406/16 registered at PS Jyoti Nagar and Jagat Puri respectively. The petitioner No.2, after the first FIR was lodged i.e. FIR No.207/16, returned to her parental home and on her statement, Sections 376/377/509 & 506 IPC were added, however, later the petitioner No.2 again joined the company of petitioner No.1. No further statement of the prosecutrix was recorded under Section 164 Cr.P.C.

2. Petitioner No.2 is present in Court. She states that she has married the petitioner No.1 on 14th February, 2017 as per Muslim Personal Law. The date of birth of the petitioner No.2 is 10.7.2000 and thus, she is more than 17 years as on date. She insists the company of the petitioner No.1.

3. Without expressing any opinion on to the validity of the marriage between the parties or the offences allegedly committed, this Court deems it fit to grant anticipatory bail to the petitioner No.1 in the two FIRs.

4. Consequently, in the event of in the event of arrest, the petitioner No.1 be released on bail in FIR Nos. 207/16 and FIR No.406/16 registered at PS Jyoti Nagar and Jagat Puri respectively on his furnishing personal bond in the sum of ₹25,000/- each with one surety each of the like amount in the two FIRs subject to the satisfaction of the Arresting Officer/SHO concerned, further subject to the condition that the petitioner No.1 will join the investigation in both the FIRs and will not leave the country without prior permission of this Court. The petitioner No.1 will also intimate the change of residential address if any by affidavit before the concerned court.

5. Petition is disposed of.

6. Order dasti.

NOVEMBER 29, 2017

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Mukta Gupta
MUKTA GUPTA, J.

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