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

+ **BAIL APPLN. 2053/2016**

SACHIN RAWAT

..... Petitioner

Represented by: Ms. Anindita Das, Advocate.

versus

THE STATE NCT OF DELHI

..... Respondent

Represented by: Ms. Meenakshi Chauhan, APP
for the State with SI Jitender
Negi, PS Neb Sarai.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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14.02.2017

1. By the present petition the petitioner seeks anticipatory bail in case FIR No.713/2016 under Section 376 IPC registered at PS Neb Sarai, Delhi.
2. The allegations of the prosecutrix in the FIR are that she met the petitioner on a cousin's marriage and after chatting on facebook they came into contact with each other. They celebrated the birthday party of the petitioner at the house of a friend at Neb Sarai whereafter the petitioner represented that he would persuade his parents for the marriage and established physical relationship. Later the petitioner started ignoring the complainant and refused to marry her.
3. Learned counsel for the petitioner contends that even as per the FIR the relationship between the parties was consensual and merely because the families did not agree for the marriage, offence punishable under Section

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376 IPC cannot be foisted on the petitioner. The petitioner is a government servant working in Indian Navy and thus there is no likelihood of his absconding.

4. As noted above the parties were known to each other and the relationship between the two came to an end after the petitioner refused to marry the complainant as his parents did not agree to the marriage alliance. As per the status report the petitioner has already joined the investigation and since he is working in Indian Navy, there is no likelihood of his absconding and being not available for investigation or trial.

5. In the facts and circumstances, I deem it fit to grant anticipatory bail to the petitioner. It is, therefore, directed that in the event of arrest, the petitioner be released on bail on his furnishing a personal bond in the sum of ₹25,000/- with two sureties of the like amount, subject to the satisfaction of the Arresting Officer/SHO concerned further subject to the condition that he will join the investigation as and when directed by the Investigating Officer and keep the learned Trial Court informed about his posting and residential address. It is, further directed that he will not leave the country without prior permission of the Court concerned.

6. Petition is disposed of.

7. Order dasti.

MUKTA GUPTA, J.

FEBRUARY 14, 2017/‘vn’