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

+ **BAIL APPLN. 1079/2017**

KAIFI

..... Petitioner

Represented by: Mr. Amit Rao, Advocate.

versus

STATE

..... Respondent

Represented by: Mr. Ashok K. Garg, APP for
the State with SI Sumitra
Sharma, PS Rajouri Garden.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

11.12.2017

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1. By this petition the petitioner seeks anticipatory bail in case FIR No. 569/2016 under Section 376 IPC and Section 4 of the Protection of Children from Sexual Offences Act, 2012 registered at PS Rajouri Garden, New Delhi.

2. The above noted FIR was registered on the complaint of the prosecutrix who levelled allegations of rape against the petitioner however, during the course of investigation it has been revealed that the victim and the petitioner were well known to each other. Since, the victim was minor at the time of incident above noted FIR has been registered.

3. As per the status report, during the course of investigation the prosecutrix has also married the petitioner as per muslim rituals. The petitioner and the prosecutrix are now living together.

4. Considering that the parties have re-united and without commenting on the merits of the FIR and also the legality of the marriage performed between the parties, this Court deems it fit to grant anticipatory bail to the petitioner.

5. 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 one surety of the like amount, subject to the satisfaction of the Arresting Officer/SHO concerned, further subject to the condition that the petitioner will join the investigation as and when directed by the Investigating Officer and will not leave the country without prior permission of the court concerned.

6. Petition is disposed of.

7. Order dasti.

MUKTA GUPTA, J.

DECEMBER 11, 2017

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