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

+ **BAIL APPLN. 2336/2016**

NITIN GARG @ ADESH TYAGI

..... Petitioner

Through: Mr.Maninder Singh, Adv. with
Mr.Ajay K Pipaniya, Ms.Aekta Vats,
Mr.Dinhar Takiar, Ms.Mahima
Chaudhary and Ms.Smriti Asmita,
Advts.

versus

STATE & ANR.

..... Respondents

Through: Mr.Panna Lal Sharma, APP for State
W/SI Anita, PS-Paschim Vihar

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

% **14.09.2017**

This is an application filed under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No. 290/2016, under Sections 376/328/506 IPC registered at Police Station-Paschim Vihar.

Learned counsel for the petitioner submits that the petitioner is an innocent person and has no nexus with the FIR in question. He further submits that there is a delay of 24 days in registration of FIR and there is no medical evidence qua against the present petitioner. He further submits that the petitioner has already joined investigation and nothing is to be recovered at the instance of the petitioner and the petitioner is not required for custodial investigation. He further submits that the petitioner is ready to join further investigation as and when required and prays that the petitioner be

granted anticipatory bail.

Learned APP for the State vehemently opposes the bail application. However, the learned APP on instructions from the Investigating Officer admits that the petitioner has joined the investigation.

Considering the facts and circumstances of the case, the petitioner is directed to further join the investigation and in the event of his arrest, he be released on bail, on his furnishing personal bond in the sum of Rs.20,000/- with one surety of the like amount to the satisfaction of the SHO/Investigating officer concerned with the condition that the petitioner shall not influence the prosecution witnesses; the petitioner shall not tamper the prosecution evidence; the petitioner should not leave India without prior permission of the Court below and the petitioner shall not visit the house of the complainant/victim and shall not make any contact with her telephonically or by any other mode and the petitioner shall not upload photographs of the victim in social media.

The present bail application is allowed and disposed of accordingly.

Copy of this order be given *dasti*.

I.S.MEHTA, J

SEPTEMBER 14, 2017/sr