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

+ BAIL APPLN. 2431/2016 & CRL.M.A.No.1182/17

PAWAN KUMAR SHEORAN Petitioner

Through : Mr.Daviender Hora, Advocate.
versus

STATE OF NCT OF DELHI Respondent

Through : Ms.Meenakshi Dahiya, APP.
Mr.I.J.S.Mehra, Advocate for the
complainant along with complainant
in person.

CORAM:

HON'BLE MR. JUSTICE S.P.GARG

ORDER

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23.02.2017

1. The petitioner seeks anticipatory bail under Section 438 Cr.P.C. in case FIR No.472/2016 registered under Sections 376/313/323/506 IPC at PS Ashok Vihar. Status report is on record.

2. I have heard the learned counsel for the parties including the counsel for the complainant and have examined the file. By an order dated 08.12.2016, the petitioner was granted interim protection and was directed to join the investigation as and when required. Undisputedly, the petitioner has joined the investigation since then.

3. Status report reveals that the petitioner and the prosecutrix were acquainted with each other and friendship developed between the two in 2010. Physical relations took place between the two on various occasions; victim even became pregnant. Subsequently, the petitioner was selected as Constable in Delhi Police. A marriage took

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place between the two. It is alleged that subsequently the victim was harassed and tortured and case under Sections 498A/406 IPC at PS Mahinder Park was registered. The parties subsequently filed petition under Section 13B(1) of Hindu Marriage Act to seek divorce by mutual consent. Subsequently, the matter was resolved and both the parties started living together.

4. During arguments, it was revealed that proceedings under Sections 498A/406 IPC are still pending. The complainant has lodged various other proceedings under Section 125 Cr.P.C; D.V.Act and Hindu Adoptions and Maintenance Act. Petitioner's counsel informed that at present he is paying ₹5,000/- per month as maintenance to the complainant.

5. It was further informed that after the marriage, the parties had lived together for around eight months.

6. Considering the above facts and circumstances, the petitioner is granted anticipatory bail and in the event of arrest, he be released on furnishing personal bond in the sum of ₹ 50,000/- with one surety in the like amount to the satisfaction of the SHO/Investigating officer. He shall, however, join the investigation as and when required.

7. The bail application stands disposed of. Pending application also stands disposed of.

FEBRUARY 23, 2017 / tr

S.P.GARG, J.