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

+ BAIL APPLN. 2441/2016

GURPAL @ GOPAL SAHU

..... Petitioner

Through Ms. Suman Chauhan, Advocate

versus

STATE

..... Respondent

Through Ms. Manjeet Arya, APP for State

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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18.09.2017

Prosecutrix (a minor) has specifically alleged in the FIR that the petitioner brought her on the pretext of getting her a job in Delhi as a domestic servant but had raped her many times. He did not give any salary to her. While deposing in the Court, the prosecutrix has supported her version. DNA taken from the victim has also matched the sample taken from the petitioner.

Learned counsel for the petitioner has vehemently contended that the prosecutrix has made improvements in her deposition in the Court in as much as there are contradictions in her testimony. He further submitted that during her cross examination, the prosecutrix had stated that she escaped from house of Ekta madam. In her statement given to the police official deployed at metro station, she had stated that she was raped a day earlier, however, in her cross-examination she has stated that she had been staying at Ekta madam's

house for 6 to 7 days, before she approached the police.

Statement of witnesses, more particularly that of prosecutrix, cannot be examined minutely at this stage.

In her examination-in-chief, prosecutrix has stated that she was raped thrice by the petitioner, inasmuch as, DNA samples have matched.

Keeping in mind the totality of the facts and circumstances of the present case and gravity of offence, I am not inclined to release the petitioner on bail.

Needless to say that the observations made in this order are only for the purpose of disposal of the instant bail application.

The petition is dismissed.

A.K. PATHAK, J

SEPTEMBER 18, 2017

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