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

+ BAIL APPLN. 1287/2017

RAVINDER SHARMA

..... Petitioner

Through : Mr. Lokesh Kumar Mishra and Ms.
Arti Baghel, Advs.

versus

STATE GOVT OF NCT DELHI

..... Respondent

Through : Ms. Meenakshi Dahiya, APP

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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01.08.2017

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. Petitioner is in custody for about 3½ months. Petitioner has not been named in the FIR and in the statement recorded under Section 164 Cr.P.C. of the prosecutrix. Petitioner may be admitted to bail.

Learned APP has opposed the bail application. She submits that prosecutrix has named the petitioner as Pankaj in the FIR as well as in her statement under Section 164 Cr.P.C. Pankaj is also known as Ravinder Sharma, that is, petitioner. Prosecutrix knew the petitioner even prior to the

incident. Petitioner was arrested on the pointing of the prosecutrix. Keeping in view the serious allegations of rape, petitioner cannot be admitted to bail.

Prosecutrix is also present in Court and has been identified by Investigating Officer, namely, Malti Sangwan, P.S. New Ashok Nagar. Prosecutrix says that petitioner is not the same person.

Learned counsel for the petitioner points out that prosecutrix also filed her affidavit before the trial court. Certified copy thereof has been placed on record. Certified copy of the affidavit of prosecutrix has also been perused.

Keeping in mind the totality of facts and circumstances as detailed above, petitioner is admitted to bail, subject to his furnishing a personal bond in the sum of ₹20,000/- (Rupees Twenty Thousand Only) with one surety in the like amount to the satisfaction of the trial court.

Bail application is disposed of in the above terms. Dasti.

A.K. PATHAK, J.

AUGUST 01, 2017

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