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

+ **BAIL APPLN. 2456/2016**

PRABHSHARAN SINGH @ SAHIB Petitioner

Through : Mr.Rajender Singh, Advocate.

versus

STATE (NCT OF DELHI) Respondent

Through : Ms.Manjeet Arya, APP.
Ms.Jasmine, Advocate with
Ms.Pallavi, Advocate for the
complainant.

CORAM:

HON'BLE MR. JUSTICE S.P.GARG

ORDER

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12.04.2017

1. The petitioner seeks anticipatory bail under Section 438 Cr.P.C. in case FIR No.384/2016 registered under Sections 376/506 IPC at PS Hazarat Nizamuddin. 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 06.01.2017, 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. The prosecutrix is aged around 42 years. She is a widow and mother of three children. Both the prosecutrix and the petitioner were acquainted with each other. It is alleged that the petitioner along with

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his other friends committed rape upon her. Status report reveals that at around 10.30 p.m. the petitioner and his friend Ishmeet dropped her at her house. No alarm was raised by the prosecutrix at the time of commission of offence or soon thereafter. Status report further reveals that a complaint dated 08.08.2016 was made by the petitioner against the prosecutrix to extort money on the false allegation of commission of rape.

3. Considering the facts and circumstances of the case, 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.

4. The bail application stands disposed of.

S.P.GARG, J.

APRIL 12, 2017 / tr