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

+ **BAIL APPLN. 1325/2017**

ASHISH CHANDAN Petitioner
Through : Mr. Prem Prakash, Adv.

versus

STATE OF NCT OF DELHI Respondent
Through :Ms. Manjeet Arya, APP with SI Ajay
Kumar, P.S. Timarpur, Delhi

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

% **31.08.2017**

Learned counsel for the petitioner submits that prosecutrix was grown up woman, aged about 32 years of age at the time of incident. Petitioner had neither promised to marry her nor had raped her. Prosecutrix was petitioner's friend. She was interested in marrying the petitioner and when petitioner declined to marry her, she lodged the present FIR.

Learned APP submits that after two months of lodging the FIR, prosecutrix committed the suicide and the FIR No. 593/2016 under Sections 328/302 IPC was registered against the petitioner at Police Station Shastri Nagar, Patna, Bihar. However, after the investigation, charge sheet was

filed only for the offence under Section 306 IPC. Petitioner is on bail in the said case.

Petitioner is in custody in this case for about four months. Whether consent of the prosecutrix was obtained by misrepresentation or was voluntary is subject matter of trial. Investigation is complete and charge-sheet has already been filed.

Keeping in mind the totality of circumstances, 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 31, 2017

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