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

+ **BAIL APPLN. 1327/2017**

ABHAY

..... Petitioner

Through **Mr. Sunil Kumar Jha and Mr. Bharat Bagga, Advs.**

versus

THE STATE GOVT OF NCT OF DELHI

..... Respondent

Through **Mr. M.S. Oberoi, APP with SI Meenu Bhan, P.S. Janakpuri
Mr. Bharat Bhushan, Adv. with complainant in person.**

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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03.11.2017

Learned counsel for the petitioner submits that prosecutrix has lodged the FIR on 22nd June, 2017 under Sections 376/313 IPC at Police Station Janak Puri with the allegation that petitioner established physical relations with her, in the year 2012, on promising to marry her and thereafter, he continued to have physical relations with her on the pretext of marriage till filing of the FIR. Ultimately, he refused to marry her.

Learned APP, who is assisted by the learned counsel for the complainant, has opposed the grant of anticipatory bail to the petitioner. It

is contended that petitioner established physical relations with the prosecutrix in the month of April, 2012 and continued to do so on the pretext of marriage. In the year, 2013, prosecutrix got pregnant. Petitioner forced her to terminate the pregnancy. Ultimately, in the month of May, 2017, he declined to marry her. He further submits that petitioner participated in the investigations. Investigation is complete and charge-sheet has also been filed.

Learned counsel for the petitioner submits that no medical documents were produced regarding termination of pregnancy. It is further submitted that there was delay of four years since prosecutrix has alleged that petitioner forced her to terminate the pregnancy in the year 2013. Learned counsel says that prosecutrix had been visiting various places with the petitioner.

Keeping in mind the totality of the facts and circumstances of the case, it is ordered that in case of arrest petitioner be released on anticipatory bail, subject to his furnishing a personal bond in the sum of ₹25,000/- (Rupees Twenty Five Thousand Only) with one surety in the like amount to the satisfaction of Investigating Officer/Arresting Officer/Station House Officer concerned. Petitioner shall, however, cooperate in the investigation

and appear before the Investigating Officer as and when he is called upon to do so.

Anticipatory bail application is disposed of in the above terms. Dasti.

A.K. PATHAK, J.

NOVEMBER 03, 2017
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