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

+ CRL.M.C. 3240/2017 & Crl. M.A. no. 13328/2017

VANDANA Petitioner
Through Mr. Ashok Thagal, Adv.

versus

STATE GOVT OF NCT OF DELHI & ANR Respondents
Through :Mr. M.S. Oberoi, APP with SI
Samrat Khatiyani and ASI Sunita, P.S.
Harsh Vihar for the State

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

% **21.08.2017**

By way of this petition under Section 482 of the Cr.P.C., petitioner has assailed the order dated 1st June, 2017 passed by the Additional Sessions Judge – 04, Karkardooma Courts, Delhi by which respondent no. 2 (accused) was granted bail. It is submitted that bail has been granted to the respondent no. 2 in violation and utter disregard to the settled principles of law. Learned Additional Sessions Judge has ignored the statement of the petitioner as contained in the FIR and also in her statement recorded under Section 164 Cr.P.C. A perusal of the FIR, shows that petitioner is a Constable in Delhi Police. She is aged about 23 years. It is evident from the

FIR that petitioner and respondent no. 2 were known to each other right from the college days and were in love. She has also admitted that petitioner and respondent no. 2 were in live in relationship and were staying together. She has lived with respondent no. 2 for more than two years. Petitioner has alleged that respondent no. 2 established physical relations on the pretext of marrying her. Additional Session Judge has noted the contention of respondent no. 2 that there were financial disputes, inasmuch as, said financial disputes were finalized/settled vide an acknowledgement dated 14th April, 2017, which has been duly signed by the petitioner.

In the facts and circumstances as detailed above, I do not find any perversity in the impugned order, which may require to be interfered with by this Court in exercise of its inherent jurisdiction under Section 482 Cr.P.C. Whether the physical relations were established on the pretext of marriage and whether it was a consensual sex between two adults who were in a live in relationship is the subject matter of trial.

Petition is dismissed. Miscellaneous application is disposed of as infructuous.

A.K. PATHAK, J.

AUGUST 21, 2017

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