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

+ **BAIL APPLN. 1607/2017**

MANOJ

..... Petitioner

Through: **Mr.Kedar Yadav, Advocate**

versus

STATE OF DELHI

..... Respondent

Through: **Mr.Kewal Singh Ahuja, APP for the
State with SI Anita Kumari PS Delhi
Cantt**

CORAM:

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

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15.09.2017

1. By way of this application filed under Section 438 Cr.P.C., the petitioner is seeking anticipatory bail in case FIR No. 152/2017 under Sections 354-B IPC & Section 10 of POCSO Act registered at PS Delhi Cantt.
2. Status report on behalf of the State has been filed as per which petitioner has joined the investigation.
3. It is submitted by learned APP for the State that custodial interrogation of the petitioner is not required.
4. As per the allegations made in case FIR No.152/2017 dated 21st June 2017, the petitioner was sitting on a bike and on seeing the complainant, who was going to a provisional store, used the words DEKHO KALI BHUTANI AA GAYI. When she was returning from that store, the

petitioner, who was still sitting there, dragged her hand inappropriately and touched her and also torn her shirt.

5. Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in this case as case FIR No.151/2017 under Section 354/509/506/323 IPC and Section 12 of POCSO Act has been registered at PS Delhi Cantt on the complaint of the daughter of the petitioner against Tinku @ Ravinder, who is Chacha (paternal uncle) of the complainant in this case. It is also mentioned in para no.5 of the petition that accused Tinku @ Ravinder in case FIR No.151/2017 PS Delhi Cantt has already been granted protection by this Court by directing that no coercive steps be taken against him and that case FIR No.152/2017 PS Delhi Cantt. is counter blast to the complaint of his (petitioner's) daughter.

6. In the facts and circumstances, petitioner is admitted to anticipatory bail and in the event of his arrest he shall be released on bail on his furnishing personal bond in the sum of ₹50,000/- with one surety of the like amount to the satisfaction of IO/SHO concerned subject to the following conditions:

(i) He shall not leave the country without the permission of the trial Court;

(ii) He shall not try to influence or contact the witnesses in any manner.

7. The petitioner is directed to join the investigation as and when required by the I.O./SHO concerned.

8. The application stands disposed of.

Order *dasti*.

PRATIBHA RANI, J.

SEPTEMBER 15, 2017

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