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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 1630/2017**
KULDEEP DAGAR

..... Petitioner

Through: Mr.H.S.Sharma, Advocate.

versus

STATE

..... Respondent

Through: Mr.Hirein Sharma, APP for State with
SI Harbir Singh, P.S. R.K.Puram,
New Delhi.

CORAM:
HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

% **21.08.2017**

Crl.M.A.No.13419/2017 (Exemption)

Exemption granted, subject to all just exceptions.

Application stands disposed of.

BAIL APPLN. 1630/2017

This is an application under Section 438 Cr.P.C. filed on behalf of the petitioner for grant of anticipatory bail in case FIR No.294/2016, under Section 376 IPC, registered at Police Station R.K.Puram, New Delhi.

Learned counsel for the petitioner has submitted that the petitioner is an innocent person and the allegation as alleged in the FIR is false and baseless. Counsel further submits that there is no specific date of commission of the alleged rape on the person of the victim and the only allegation qua against the petitioner is development of physical relation with

the victim which is vague and the victim is major.

Notice. Learned APP for the State accepts notice and vehemently opposes the bail application. Learned APP for the State, however, on instructions from the Investigating Officer submits that the charge sheet has already been filed before the concerned Trial Court without arrest of the petitioner, as he has been shown in Column No.12 of the charge sheet.

Looking into the above facts and circumstances, since the charge sheet has already been filed in the Court and the victim is major, in these circumstances, the petitioner is directed to join the investigation, if any, and in the event of his arrest, the petitioner be released on anticipatory bail, on his furnishing bail bond in the sum of Rs.20,000/- with one surety of the like amount to the satisfaction of the Investigating Officer/Metropolitan Magistrate concerned, with the condition that he shall not tamper with the prosecution evidence, he shall not leave the country without prior permission of the concerned Court and he shall not contact or visit the victim in any manner.

The present bail application is allowed and stands disposed of accordingly.

Copy of this order be given *dasti*, as prayed.

I.S.MEHTA, J

AUGUST 21, 2017

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