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

+ **BAIL APPLN. 1678/2017**

RAMESH MANUJA

..... Petitioner

Through: Mr. K.K. Manan, Sr. Adv. with Mr.
Ankush Narang, Mr. Kartik Gandotra,
Mr. Harsh Khanna and Ms. Shivani
Kant, Advs.

versus

STATE THE NCT OF DELHI

..... Respondent

Through: Ms. Amit Gupta, APP for State with
W/SI Kamlesh Meena, P.S. Mehrauli.
Ms. Saroj Nahar and Ms. Monika
Nahar, Advs.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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31.08.2017

Prosecutrix is aged about 26 years. She has alleged in the FIR that she was known to the co-accused Satender Mahajan for the past 7-8 months who won over her confidence and made a business proposal. Satender Mahajan used to tell her that his wife was on death bed. He proposed to marry her. He tried to establish physical relations with her on several occasions. On the date of incident, he told her that he would take her on a long drive. He called her at Siddharth Hotel and when she went there Satender Mahajan told her that they would first go to meet his friend (petitioner) at his house at Mehrauli where Satender Mahajan and his friend, that is, petitioner started drinking and, thereafter forcibly raped her.

Learned senior counsel for the petitioner submits that subsequently prosecutrix sent a letter dated 16th August, 2017 through speed post to SHO of police station Mehrauli and the concerned DCP. To enquire about the said letter, Investigating Officer called the prosecutrix in the police station and again recorded her statement wherein she stated that she had written the aforesaid letter without any undue force, pressure or coercion. She further stated that she was in love with co-accused Satender Mahajan who had promised to marry her. She further stated that in the intervening night of 17th and 18th July, 2017 co-accused Satender Mahajan established physical relations with her, but refused to marry her. She further stated that Satender Mahajan also introduced her with his friend, namely, Ramesh Manuja (petitioner) who addressed her as '*beta beta*' and when she objected to this they laughed at her. Since co-accused Satender Mahajan had declined to marry her she was disturbed and got the FIR recorded.

Learned senior counsel submits that petitioner is in custody for more than one and a half month. Petitioner has been falsely implicated in the FIR. It appears that prosecutrix and co-accused Satender Mahajan were in love and petitioner's name has been dragged in on account of quarrel which might have taken place between the co-accused and prosecutrix.

Learned APP has opposed the grant of bail to the petitioner. However, it has not been disputed that prosecutrix had subsequently written a letter dated 16th August, 2017 to the DCP and SHO of police station Mehraulit. It has also not been disputed that Investigating Officer, on receipt of the said letter, had called the prosecutrix at police station and recorded her statement again wherein she stated that she was in live in relation with the co-accused Satender Mahajan who later on refused to marry her and on this count she had lodged the FIR.

Keeping in mind totality of the facts and circumstances of this case, petitioner is admitted to bail, subject to his furnishing a personal bond in the sum of ₹25,000/- with one surety in the like amount to the satisfaction of the trial court.

Bail application is disposed of in the above terms. Miscellaneous application is disposed of as infructuous.

Dasti.

A.K. PATHAK, J.

AUGUST 31, 2017

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