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

+ **BAIL APPLN. 1883/2017**

NAIL MD HOURANI

..... Petitioner

Through: Mr. Lovkesh Sawhey & Mr. Sunil
Dewedi, Advocates.

versus

STATE GOVT OF NCT OF DELHI & ANR Respondents

Through: Mr. M.P. Singh, APP for State.
Mr. Praveen Kumar, Advocate for
complainant.
SI Manisha Kumari, PS Vasant Kunj.

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

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30.10.2017

The petitioner seeks bail in connection with FIR no. 512/2017 dated 28.08.2017, PS Vasant Kunj North, instituted for the offences under Sections 328/354/376/511 of IPC.

The petitioner is said to be in custody since 28.08.2017.

The petitioner is a senior citizen, who has been residing in this country with UNHCR Refugee status and has a family comprising six children and a wife.

The complainant has alleged that an attempt was made by the petitioner to outrage her modesty after she was intoxicated. During the course of investigation, the complainant gave her statement under Section 164 of Cr.P.C., wherein she has supported her version which was made in

the FIR. However, later, the prosecutrix realised that the FIR as well as the statement recorded under Section 164 of Cr.P.C. was out of anger against the petitioner and those did not contain correct statement on facts.

The affidavit of the complainant is on record. The complainant is also present in the court and submits that she hails from Sikkim and though she is not working with the petitioner anymore, but the allegations levelled in the FIR are not correct and that the case was lodged in anger.

Be that as it may, the offences are required to be investigated by the police.

However, taking into account the statement of the prosecutrix that she had filed the case against the petitioner in anger and the fact that the investigation is now complete and charge-sheet has been submitted, this court is inclined to grant bail to the petitioner.

The petitioner is directed to be released on bail on his furnishing bond in the sum of Rs. 25,000/- with two sureties of like amount to the satisfaction of the Trial Court.

Dasti.

ASHUTOSH KUMAR, J

OCTOBER 30, 2017
NC