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

+ **BAIL APPLN. 1896/2017**

SALMAN

..... Petitioner

Through: Mr.Imran Khan, Advocate.

versus

STATE GOVT OF NCT OF DELHI

..... Respondent

Through: Ms.Aashaa Tiwari, APP for State with
SI Jaiveer Singh, PS Kotla Mubarak Pur, Delhi.

CORAM:

HON'BLE MR. JUSTICE VINOD GOEL

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09.10.2017

Crl.M.A. 15745/2017 (exemption)

Exemption allowed subject to all just exceptions.

Application is disposed of.

BAIL APPLN. 1896/2017

1. Apprehending his arrest in a case registered against him vide FIR No. 208/2017 on 17.07.2017 under Section 354(D)/506 of the Indian Penal Code, 1860 (in short 'IPC') and Section 12 of The Protection of Children from Sexual Offences Act, 2012 (in short 'POCSO') with Police Station Kotla Mubarakpur, South Delhi District, Delhi, the petitioner invokes the jurisdiction of this court under Section 438 of the Code of Criminal Procedure, 1973 (in short 'Cr.PC') seeking his release on anticipatory bail in the event of his arrest.
2. Learned counsel for the petitioner submits that the police has made a false and fabricated story in connivance with the parents of the victim.

He submits that the victim has been in love affairs with the petitioner as is evident by number of letters written by her to him. He submits that in fact the victim wanted to marry the petitioner but lot of restrictions were imposed upon the victim by her parents. He further submits that the parents of the victim used to humiliate her, as a result of which she tried to commit suicide and suffered 20% burn injuries. He submits that the petitioner is an innocent person and is ready to join the investigation and he may be released on bail in the event of his arrest.

3. Per contra, learned APP for State vehemently opposed the request of the petitioner. She submits that there are serious allegations against the petitioner, who used to harass the victim, a minor of tender age of 12 years. She submits that the date of birth of the victim is 13.08.2005 as per the school records. She submits that since the petitioner who has been residing in the same building, used to stalk the victim and when she refused, he threatened her to kill her parents, she being fed up with such harassment at the hands of the petitioner, tried to commit suicide by pouring kerosene oil upon herself and setting herself on fire by matchstick. Learned APP further submits that she was taken to the hospital where as per the MLC she had suffered 30% burn injuries.
4. Hence, in the facts and circumstances of the case keeping in view the gravity of the offence, seriousness of the crime allegedly committed by the petitioner and the fact that the investigation is at its initial stage, and in case he is released on anticipatory bail, there would be a grave danger of influencing the witnesses or tampering with the evidence by him, I do not find any justifiable ground to grant

anticipatory bail to the petitioner. As such the application is dismissed.

VINOD GOEL, J.

OCTOBER 09, 2017

"shailendra"