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

+ **BAIL APPLN. 2265/2017**

LAXMI GUPTA

..... Petitioner

Through: Mr.Shubham Asri & Mr.Varun
Sakhuja, Advocates

versus

STATE OF DELHI

..... Respondent

Through: Mr.Kewal Singh Ahuja, APP for the
State with W/Inspector Vipnesh
PS Vijay Vihar

CORAM:

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

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08.11.2017

CRL.M.A.18256/2017

Exemption allowed, subject to all just exceptions.

Application stands disposed of.

BAIL APPLN. 2265/2017

1. By way of this application filed under Section 439 Cr.P.C., the petitioner is seeking regular bail in case FIR No. 329/2015, under Section 376-D IPC & Section 6 of POCSO Act, registered at PS Vijay Vihar, Delhi.

2. As per the FIR, the allegation against the petitioner is that she is the paternal aunt (bua) of the prosecutrix. On 2nd March, 2015 the prosecutrix along with her another paternal aunt Usha visited Karol Bagh and there she asked her to call Ashish @ Guddu. When Guddu came there he slapped her and brought her to the house of the petitioner at Rajendra Place. There the petitioner allegedly asked the prosecutrix to do the same act with her son

Vicky which she had done with Ashish otherwise her video would be put on Whats App. Thereafter, Vicky, who is son of the petitioner, did *galat kaam* with her and at that time Laxmi Bua caught hold of her hand and Naresh Gupta caught her legs. Vicky and Ashish, who were standing there, were asked to make a video of her in that condition. Her paternal aunt Usha, who was downstairs, called her father and police was informed.

3. Notice. Mr.Kewal Singh Ahuja, APP for the State accepts notice and furnishes the status report.

4. As per the status report no video has been recovered in respect of this incident or of the earlier incident which the petitioner allegedly threatened to put on Whats App.

5. In this case, petitioner is in custody since 6th June, 2017.

6. Learned counsel for the petitioner submits that litigation is going on between the family members and various FIRs have also been registered. It has also been submitted on behalf of the petitioner that the petitioner and her son have been implicated so that the petitioner can be made to relinquish her share in one of the shop situated in Mayapuri which is in joint name.

7. Taking into consideration the facts and circumstances, the petitioner, who is a woman, is admitted to bail on her furnishing personal bond in the sum of ₹50,000/- with one surety in the like amount to the satisfaction of learned Trial Court/Link Court.

8. The bail application is allowed.

9. As prayed, copy of the order be given dasti to learned counsel for the petitioner.

PRATIBHA RANI, J.

NOVEMBER 08, 2017

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