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

+ **BAIL APPLN. 2289/2017**

ARUN GUPTA

..... Petitioner

Through Mr. Mandeep K Sharma, Adv

versus

THE STATE GOVT OF NCT OF DELHI

..... Respondent

Through Ms. Meenakshi Dahiya, APP for State
SI Marjita, PS Sangam Vihar

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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11.12.2017

Learned counsel for the petitioner submits that prosecutrix is a married lady aged about 30 years and is having three children. Petitioner is 22 years of age. Both the petitioner and prosecutrix are stated to be neighbours. In the FIR, prosecutrix has not levelled allegations of rape. She has simply stated that petitioner used to call her on her mobile phone and used to pressurise her to become his friend. On 13th October, 2017 at about 2:30 PM petitioner came to her house, in absence of her husband, and caught her hand and even touched her breasts. He also suggested the prosecutrix to elope with him. In her statement recorded under section 164 CrPC, as an afterthought, the prosecutrix levelled allegations of rape for the first time. Petitioner is in custody for the last about 2 months. Petitioner has placed on record his photographs with the petitioner to show that they were friends and after their relations broke off, prosecutrix has lodged present FIR.

Learned APP has opposed the grant of bail to petitioner. She has contended that prosecutrix has specifically alleged in her statement under

section 164 Cr.P.C. that petitioner had raped her four times by threatening her that he would put her obscene photographs on the net. Offence alleged is serious in nature.

Keeping in mind the 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 ₹20,000/- (Rupees Twenty Thousand Only) with one surety in the like amount to the satisfaction of the trial court.

Bail application is disposed of in the above terms. Dasti.

A.K. PATHAK, J

DECEMBER 11, 2017

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