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

+ **BAIL APPLN. 2324/2017**

MANISH AGGARWAL

..... Petitioner

Through Mr. Anil Sapra, Sr. Advocate with Mr.
Ankur Goel, Advocate

versus

THE STATE GOVT OF NCT OF DELHI

..... Respondent

Through Mr. Raghuvinder Varma, APP for the
State
SI Preeti, PS Model Town
Ms. Amrita Sharma, Advocate for
complainant

CORAM:

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

% **06.12.2017**

As per the status report submitted on behalf of the State the chargesheet has been submitted in FIR No.295/2017 and charges under Section 377/498A/323/506 Indian Penal Code, 1860 and Section 12 of POCSO Act have been framed against the petitioner.

On behalf of the petitioner and on behalf of the complainant it has been submitted that the petitioner and the complainant have since arrived at a settlement dated 28.11.2017 whilst the petitioner was in custody pursuant to which the petitioner and the complainant intend to seek a decree of divorce through mutual consent and also seek to resolve the issue in relation to the custody and visitation rights of their minor children.

The complainant Smt. Gunjan Agarwal who is present in Court today along with her counsel in reply to a specific Court query submits that she entered into a settlement with the petitioner for the well being of her children.

The vakalatnama of counsel for the complainant be placed on record during the course of the day.

On behalf of the State the application is opposed and it is submitted that there are allegations against the applicant/petitioner of the alleged commission of the offence punishable under Section 12 of POCSO Act and that the FIR, the averments and statements under Section 164 Cr.P.C. of the minor children are in support of the said contention made by the State.

There are no previous adverse antecedents against the petitioner.

Taking into account the aforesaid settlement between the applicant and the complainant, the applicant is allowed to be released on bail on his furnishing bail bond in the sum of Rs.1,00,000/- with one surety of the like amount to the satisfaction of the trial court with the conditions that he shall not leave the country without the permission of the Court, shall not intimidate the witnesses and shall not tamper with the evidence in any manner and shall not make any contact with the complainant and his children.

Copy of the order be given Dasti, as prayed.

ANU MALHOTRA, J

DECEMBER 06, 2017

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