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

+ **BAIL APPLN. 2377/2017**

RITU RAJ SINGH

..... Petitioner

Through: Mr. Kunwar Pal Singh and Ms. Neeti
Sharma, Advs.

versus

THE STATE GOVT OF NCT OF DELHI

..... Respondent

Through: Ms. Manjeet Arya, APP with SI
Ashish Kumar, P.S. Bhajanpura.
Mr. Javed Ahmad, Adv. for
Complainant.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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20.11.2017

By this application under Section 438 Cr.P.C. read with section 482 Cr.P.C, petitioner seeks anticipatory bail. It is submitted that petitioner is brother-in-law (husband's brother) of the prosecutrix. There is an inordinate delay of two months in lodging of FIR. Thereafter, FIR has been registered on 3rd October, 2017. It is further submitted that conduct of the prosecutrix was found suspicious, therefore, enquiry was held. It is further submitted that learned ASJ had called for the explanation of the SHO regarding delay in registration of the FIR. The explanation was furnished wherein it has been mentioned that W/SI Rakhi had enquired the matter. She visited the spot and found that there was only a single bed lying in 10x10 room at the

ground floor where the incident had allegedly taken place. There was a veranda outside the room wherein petitioner's mother along with her sister-in-law and two grandchildren aged about 16 years and 10 years were sleeping, as told by the petitioner's mother. Tenant-Pankaj Mishra was also residing behind the same room. He was examined besides the neighbours. Complainant was living in a separate house with her husband, who committed suicide on 25th April, 2017. It was further revealed that a quarrel took place even on the day of cremation. It is submitted that petitioner has been falsely implicated.

Learned APP, who is assisted by the learned counsel for the complainant, has opposed this application. It is contended that complainant/prosecutrix did not file any complaint till 8th July, 2017 as she was threatened and was under fear of the petitioner and his family members. Learned APP submits that delay took place as matter was enquired on account of late reporting of the incident by the complainant.

Keeping in mind the facts and circumstances of the case, it is ordered that in case of arrest petitioner be released on bail, subject to his furnishing a personal bond in the sum of ₹ 25,000/- with one surety in the like amount to the satisfaction of Investigating Officer/Arresting Officer/SHO of the

concerned police station.

Bail application is disposed of in the above terms.

Dasti.

A.K. PATHAK, J.

NOVEMBER 20, 2017
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