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

+ **BAIL APPLN. 2553/2017**

GOPAL KHINCHI

..... Petitioner

Through Mr. Murari Tiwari, Mr. Avinash
Pandey, Ms. Shweta Rani, Mr. Rahul
Kumari and Ms. Ankita Tiwari, Advs.

versus

THE STATE GOVT OF NCT OF DELHI

..... Respondent

Through Ms. Meenakshi Dahiya, APP with PSI
Richa Sharma, P.S. Punjabi Bagh

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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13.12.2017

Petitioner is seeking anticipatory bail in the FIR No. 147/2017 under Sections 376/377/313/328/354/506/34 IPC registered at police station Punjabi Bagh on the complaint of prosecutrix. Learned APP submits that offence under Section 354 IPC is attracted against the petitioner; whereas other provisions are attracted against his brother. Learned counsel for the petitioner submits that co-accused is his brother. Talks of marriage took place between the co-accused and the prosecutrix. Prosecutrix rang up co-accused. She met him. Prosecutrix followed co-accused and demanded to marry her or to pay ₹10,00,000/-. She started blackmailing co-accused

and his father, who is also father of the petitioner. She extorted ₹1,20,000/- on the pretext that she would implicate co-accused in a rape case. Co-accused filed a complaint on 16th March, 2017 but no action was taken by the police. He approached the concerned court of Judicial Magistrate; pursuant to the order of Judicial Magistrate, FIR No. 218/2017 under Sections 192/193/195/211/384/388/389/34/120-B IPC was registered against the prosecutrix and her father at police station Kardhani, Jaipur (West). Anticipatory bail of the prosecutrix and her father has been declined by the Rajasthan High Court.

Keeping in mind the totality of circumstances, it is ordered that in case of arrest, petitioner be released on anticipatory bail subject to his furnishing a personal bond in the sum of ₹25,000/-(Rupees Twenty Five Thousand Only) with one surety of the like amount to the satisfaction of the Investigating Officer/Arresting Officer/SHO concerned.

Bail application is disposed of in the above terms.

Dasti.

A.K. PATHAK, J.

DECEMBER 13, 2017

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