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

+ BAIL APPLN. 10/2018

ASHISH KUMAR

..... Petitioner

Through: Mr. M.N. Dudeja and Mr. Gaurav
Mahajan, Advs.

versus

THE STATE GOVT OF NCT OF DELHI

..... Respondent

Through: Dr. M.P. Singh, APP with SI Preeti
Mann, P.S. Mukherjee Nagar.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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02.02.2018

Learned counsel for the petitioner submits that petitioner came in touch with the prosecutrix on Facebook. They became friends. After their friendship broke off, prosecutrix has falsely implicated the petitioner in this case by lodging the FIR in the month of November, 2014 alleging therein that she was raped by the petitioner in the year 2012 and thereafter on some other occasions. She also alleged that petitioner had been threatening her that he had taken her obscene video and would make it public. Learned counsel for the petitioner submits that investigations are complete. No such obscene video could be recovered during the investigation. Prosecution has alleged that prosecutrix had given a total sum of ₹50,000/- to the petitioner which included certain amounts which she had deposited in his bank account

bearing no. 30705284513 maintained with State Bank of India, however, no such evidence of deposit of any money in the account of the petitioner could be collected during the investigation. There is a delay in lodging the FIR. Petitioner is in custody for the last 5 months.

Learned APP has opposed the grant of bail to the petitioner. It is contended that petitioner induced the prosecutrix and took her to Bizotel Hotel in the year 2012 and had forcibly sex with her. Thereafter, he started blackmailing her. He demanded money from the prosecutrix which she paid to him. Petitioner also took obscene video of the prosecutrix and threatened her to make it public in case she did not accede to his demands. Petitioner had sex with the prosecutrix on several occasions by blackmailing her.

Keeping in mind the totality of the facts and circumstances, petitioner is admitted to 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 the trial court.

Bail application is disposed of in the above terms.

Dasti.

A.K. PATHAK, J.

FEBRUARY 02, 2018

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