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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 61/2018**

SUDHA GUPTA

..... Petitioner

Through: Mr. V.K. Shukla, Ms. Nupur Shukla
& Mr. B.R. Pande, Advs.

versus

THE STATE GOVT OF NCT OF DELHI

..... Respondent

Through: Mr. Ravi Nayak, APP for the State
with SI O.P. Vishnoi, PS Jagat Puri.

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

% **09.07.2018**

Having regard to the allegations made in the FIR lodged on 14.09.2017 wherein there is a reference to the clothes of the complainant having been torn in the process of she being assaulted, it would not be proper at this stage of the criminal complaint for this court to dwell into the question as to whether offence under Section 354 IPC is made out or not.

Having regard to the genesis of the incident, as indicated in the FIR and the statement under Section 164 Cr.P.C., there is no reason why the presence of the petitioner cannot be regulated and her cooperation with the investigation not secured by granting her conditional anticipatory bail order.

In the above facts and circumstances a case for release of the applicant on anticipatory bail is made out.

Thus, it is directed that in the event of the petitioner being arrested, she shall be released on bail by the arresting officer on furnishing personal

bond in the sum of Rs.10,000/- with one surety in the like amount subject to the following further conditions:-

- (i) The petitioner shall continue cooperating with the investigation and join the same as and when called upon to do so;
- (ii) The petitioner shall not come in contact with or try to influence any of the witnesses connected to the case;
- (iii) Prior to her release, she shall give the telephone numbers of self and of at least one other responsible family member besides that of the surety to the investigating officer;
- (iv) She shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer or tamper with the evidence;
- (v). She shall not leave India without the prior permission of the court of cognizance or the trial court, as the case may be, and to ensure due compliance with this condition and shall deposit her passport, if she holds one, with the said court; and
- (vi) This order will inure only till the date of first appearance of the petitioner in the event of a charge-sheet being filed on conclusion of the investigation and process being issued against her by the court of cognizance.

The bail application is disposed of in these terms.

Dasti.

R.K.GAUBA, J

JULY 09, 2018/nk

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